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**20P**

# THE TIMES

No. 65,256

TUESDAY MAY 2 1995

RM

## Mortgage warning

# Tax shock for sick or jobless homeowners

By Robert Miller

UP TO two million homeowners could face an unexpected tax bill if they are made redundant or fall ill, after a government ruling that payments received under mortgage protection policies are taxable.

The ruling, in a letter to mortgage lenders, comes just as the Government is urging all borrowers to take out this form of insurance because of cuts in state support for people who lose their jobs or are too ill to work.

From October, new borrowers will have to wait nine months before receiving any income support to help with mortgage payments, and the Government warned immediately after last year's Budget that people taking out a mortgage after then would need to make private arrangements to protect their payments. Lenders have also been encouraging homebuyers to take out the insurance to ensure that mortgage payments are not missed.

But now a circular letter to mortgage lenders from Roger Evans, Under Secretary for Social Security confirms that payments made by insurance companies under such policies will be taxable at the recipient's highest tax rate.

This means that about two million people with this type of insurance may need to increase their premiums or they could still find themselves unable to meet their monthly payments once tax has been deducted from any money they receive from the insurance companies.

People who make claims

under permanent health insurance policies are allowed the first year's "income" tax free, and the Council of Mortgage Lenders is now appealing to the Government to make a similar concession to mortgage protection policies.

The council, which has been lobbying for the retention of income support for homebuyers, has already claimed that the high cost of private insurance would stop people moving. The council was also concerned that the disabled, single parents, the self-employed and small businessmen might all find it difficult to get such insurance.

In February, Adrian Coles of the Council of Mortgage Lenders said: "Repossessions were very high last year at 50,000. If there is no official help to get us through this difficult phase in the housing market repossessions will inevitably rise again."

The Chancellor said some leeway would be given to those who found it difficult to get private insurance, but there were still doubts that any provision would be enough to close the gap.

In his letter, Mr Evans says that the insurance companies will act as the tax collectors if policyholders have to make a claim. He states: "Insurance companies should deduct this tax from mortgage protection policy benefits if they are annual payments and should pay the tax to the Inland Revenue."

In this context "annual" payments means policies that can cover mortgage payments for up to 12 months in case of

redundancy and for up to 24 months should the borrower be unable to work due to accident or sickness. It is not clear whether any borrowers who have made claims in the past face bills for tax arrears.

Gary Marsh, of the Halifax building society, Britain's largest mortgage lender, said: "This is yet another blow to an already very fragile housing market. A lot of people who may need to claim on their insurance policies will find there is a shortfall in their monthly mortgage payments. This could lead to a build-up of arrears and make such policies much more expensive."

Mortgage protection insurance to cover a £50,000 repayment loan costs about £25 a month; top-rate taxpayers would need to pay another £10 a month to cover their potential tax bills.

Mark Boleat, director general of the Association of British Insurers, said: "With the Government expecting the private sector to provide the safety for homeowners, it is vital that it reviews its proposals as a matter of extreme urgency."

An estimated two million homeowners have mortgage protection policies and 30 per cent of new borrowers are taking it out. As the Government's income support cuts take effect, even more of Britain's ten million borrowers will seek additional protection.

In his Budget last year, Kenneth Clarke said that until now the taxpayer had picked up the interest bill too readily.

## Dudley and friends say farewell to Peter Cook



## Happy memories of jokes and genius

By Joe Joseph

EVERYONE loved Peter Cook, wrote Auberon Waugh after Cook's death in January, "and for once." Private Eye's former editor, Richard Ingrams, reminded the 800 who attended Cook's memorial service yesterday, "he spoke for us all."

Ingrams' remark — spicing incommensurate affection with a joke — set the tone for the service at St John's Parish Church in Hampstead, north London, attended by almost every recognisable funny man in Britain, bar the runaway Stephen Fry.

Alan Bennett, who vaulted to fame with Cook in the *Beyond the Fringe* revue, recalled that when following Cook on stage he would "be handed an audience so weak with laughter that I could do nothing with it." Bennett added that while admirers of Cook's languid genius often felt he was somehow robbed of glory when he did not go on to become a Hollywood star like his former stage partner, Dudley Moore, Cook himself was always contented.

"The only regret he regularly voiced," Bennett said in his tribute, "was that at the house we rented in Connecticut in 1963 he saved David Frost from drowning."

Ingrams assured us that Cook — a man who could weave manic fantasy from the most unpromising thread, even unsought nightly tapings on his bedroom window by Greta Garbo — was "without malice to anyone, although he did admit to pursuing an irrational vendetta against the late, great Gracie Fields".

Before an audience speckled with friends and fans — his widow Lin Chong, Dudley Moore, Barry Humphries, John Cleese, Michael Palin, David Frost, Spike Milligan

Continued on page 2, col 5

## Britain resists Iran trade ban

Britain has come under strong pressure to join the American embargo on trade and investment with Iran but has refused to do so and industry is ready to pick up the Iranian orders made available by the ban. British officials said yesterday that since the Edinburgh European Union summit in 1992, Britain and its European Union partners had had a "critical dialogue" with Tehran including frank exchanges on Iranian support for terrorism. Page 14

## Belfast shooting victim's damages

Markievicz Gorman, 21, a passenger in a joyrider's car shot and injured by paratroopers in 1990, is understood to have received a five-figure sum in settlement of her claim for compensation from the Ministry of Defence at Belfast High Court. Page 2

## Conflict as Balkans ceasefire expires

By Our Foreign Staff

FRESH outbreaks of fighting in the Balkans brought new fears of warfare on a broad front yesterday as a United Nations-sponsored ceasefire expired.

Efforts by Yasushi Akashi, the senior UN envoy in the region, to stave off a summer of heavy fighting in Bosnia ended in frustration in Sarajevo.

In central Croatia several thousand Croatian troops, backed by more than a dozen tanks and co-ordinated artillery support, attacked separatist Serbs in the central region of the country at dawn yesterday. Two Croatian MiG planes bombed a Serb-held bridge in the south of the country yesterday evening, the UN said, but talks between the two sides continued in Zagreb.

last night. This was the fiercest combat in Croatia since a ceasefire more than three years ago.

In response Croatian Serb rebels seized 115 UN personnel — 36 civilian policemen and 79 peacekeeping troops from Nepal and Argentina. The Serbs also confiscated their bullet-proof vests and radio equipment.

Meanwhile, in Sarajevo, snipers claimed the city's first casualties a few hours after the four-month truce expired at noon: two women were shot dead in separate incidents while walking along an exposed road. Both women were walking from the city centre to the outlying suburb of Dobrinja.

Attack on guerrillas, page 17

## 21 Barings executives step down

By Our City Staff

TWENTY-ONE executives have resigned from Barings, the merchant bank brought to the brink of collapse by huge trading losses in the Far East.

The executives, who were responsible for the Singapore operation, include ten at the London head office, three in Singapore and seven in Tokyo. Peter Norris, who had already stepped down as chief executive of Barings Investment Bank, has also quit.

Until yesterday, only Peter Baring, the chairman, and his deputy, Andrew Tuckey, had resigned over the £860 million losses.

A Bank of England report into the affair is expected to be published next month.

Business news, page 25

## Blair vows to limit union role in party

By Jill Sherman and Philip Bassett

TONY BLAIR is to launch a fresh assault to curb the power of the unions in the Labour Party by cutting their block vote at the annual conference from 70 per cent to 50 per cent before the next general election.

The Labour leader, determined to keep up the reform momentum after his victory on the redrafting of Clause Four, is also planning a shake-up of the party's National Executive Committee, which would give the unions less say in policy-making.

The new organisational changes will be accompanied by a policy push launched yesterday by Gordon Brown, the Shadow Chancellor, when he set out radical new plans to make Labour the party of the consumer. Mr Blair has decided to capitalise on his win last Saturday by speeding up moves to modernise the party.

However, his prompt action angered some trade unionists and the party's Left, and John Prescott, his deputy, expressed reservations.

In an interview yesterday morning, Mr Prescott appeared to suggest he was unhappy that Mr Blair had rounded on the unions and doubted whether moves on the block vote could be pushed through before the general election. In what was interpreted as a warning shot to Mr Blair, he said: "People have to remember that we Continued on page 2, col 3"

Consumer champion, page 2  
Denis MacShane, page 20  
Leading article, page 21

## Perfect weather for holiday that never was

By Dominic Kennedy

IT WAS the perfect Bank Holiday that never was. As temperatures topped 20C (68F) and the sun shone yesterday, those who sweltered in their offices and factories may have cursed whoever decided to postpone for a week the May Day break. To add to their irritation, forecasters predicted that after a balmy week, temperatures would plummet in time for next weekend, ensuring a truly traditional Bank Holiday.

Scots could have been forgiven for

laughing. Having decided to keep the May Day holiday where most believe it belongs, they were blessed with the warmest day of the year.

Temperatures reached 22C in Inverness, putting even the sunniest spot south of the border in the shade. The warmest temperature in England and Wales, 20C, was recorded at Heathrow Airport, the last place anyone would choose to enjoy the weather. Elsewhere the temperature was lower, although still several degrees higher than the 13-14C seasonal average.

A spokesman for AA Roadwatch

said that some trippers, whose diaries were printed before the change of date, had been so confused that they took their long break this weekend. If they stay at home next week, there will be fewer cars on the road than usual at May Bank Holiday.

In Parliament, the scarlet standard was unfurled by Paul Flynn, MP for Newport West, who said at Commons question time: "People in England and Wales on this glorious spring day have been denied their traditional Bank Holiday, which is being enjoyed by the lucky people in Scotland. When

will this Government stop mucking about with May Day?"

John Horam, the junior Citizen's Charter minister, replied, to Tory cheers: "We don't need to keep the red flag flying on this particular day."

Not everybody enjoyed the break in Scotland, however. Postmen, administrators, cleaners and caterers shut sorting offices in Glasgow, Edinburgh and Aberdeen to protest against being ordered to work on May Day.

May Day revels, page 6  
Forecast, page 24

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Experienced sailors who usually wore lifejackets thought they were safe in calm waters

## Boat-owner drowned as he clung to wife's body

By Emma Wilkins

A BUSINESSMAN who died with his wife in a boating accident on the Norfolk Broads could have saved himself by letting go of his wife's body, it emerged yesterday.

Terry Fletcher, 49, jumped into the River Waveney near Great Yarmouth, after his wife Patricia, 51, slipped and fell into the water while trying to moor their sea-going motor yacht.

The couple, from Halifax, West Yorkshire, could not swim and were not wearing lifejackets, despite being experienced sailors who had holidayed on the Broads before. They had been married for 28 years and had no children.

Rescuers who came up alongside the couple shouted to Mr Fletcher to grab on to a rope that had been lowered from their boat but he could have reached it only if he let go of his wife.

"We threw a lifebelt to the husband and let down the anchor rope for him to cling on to but he could not hold on to it. His hands were blue with cold," Ann Caffrey, who saw the accident, said. "We were screaming and shouting at him to let go of his wife but there was no way he would do that."

"We could not reach down — they were agonisingly close



Terry Fletcher and his wife Pat, neither of whom could swim but whose one real hobby was boating

to us but the husband simply would not let go of his wife. She was face down in the water and must have been dead.

"Eventually they drifted away and we saw them disappear under the back of their boat. I think they must both have been dead from the cold."

Mrs Caffrey, from Liverpool, was boating with her husband Jimmy when the accident happened on Sunday. The couple watched as another boat, the *Purdey*, tried to come to the Fletchers' rescue.

"We saw the *Purdey* coming towards the cruiser and then we saw a man in the water, holding what we thought was

a life jacket. It turned out to be his wife. The cruiser had been trying to moor and the wife fell in and got carried away on the current. Her husband had dived in to help her.

"We could hear their shouts for help but there was no way they could get out of the water. It was all reeds and mud by the bank side. Neither the man nor his wife had lifejackets on and he got into trouble and increased his shouts for help. We tried to move our boat alongside but the current was so fast it was very difficult."

On board the *Purdey* were John Pitts and his wife, Anne, from Keighley, West Yorkshire, friends of the Fletchers

who had planned their holidays to coincide. Mr Pitts, 50, jumped into the water to try to save his friends but got into difficulties because of the strong current and cold water. He was pulled from the water by his wife after the Fletchers had drifted away.

"Mr Pitts is the hero of this tragedy. He put his own life at risk by going into the water to try to save his friends," Mr Caffrey said.

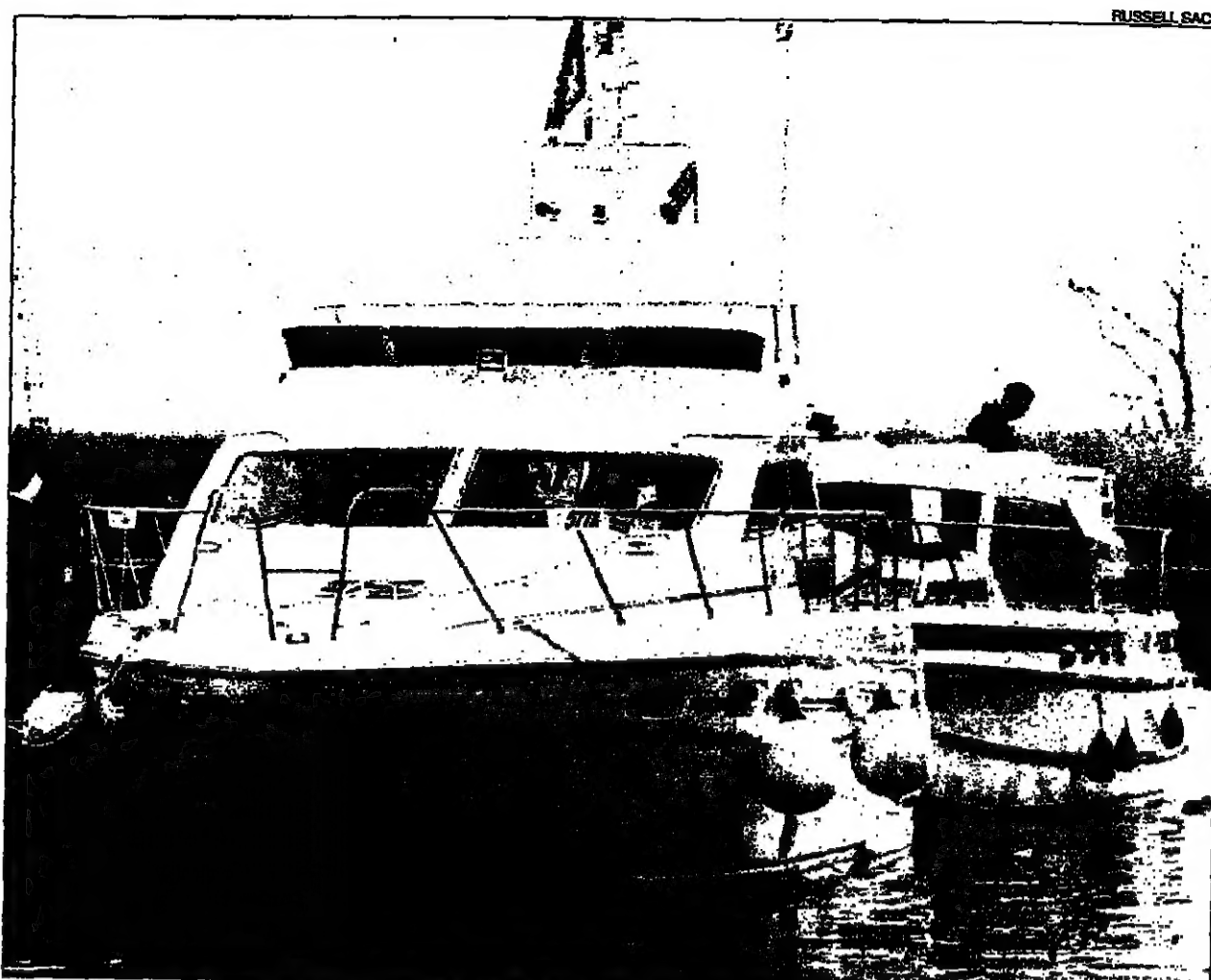
Mr Pitts was taken to James Paget Hospital, Gorleston, where he was treated for seven cracked ribs. Mrs Pitts, 39, was recovering from shock.

Mr Fletcher, who owned a Citroën garage with his brother Paul, had owned several smaller craft before buying the 28ft motor yacht *Tiger Puss*, with an estimated value of about £100,000.

The couple sailed the yacht from its winter moorings on the River Ouse at York, through the Humber and into the North Sea to Norfolk at Easter.

"They were both experienced sailors and the boat was well equipped," Paul Fletcher, 51, said.

"At sea they would always wear lifejackets, but because the River Waveney would have looked calm they probably thought they were safe. They must have underestimated the danger. Neither of them could swim and I only wish



The motor cruiser *Tiger Puss* from which Mrs Fletcher slipped, named after one of her favourite rescued cats

they had been wearing jackets because they could be alive today.

"They had no children but they were deeply in love with each other and their boat — it was their one real hobby," he added. Mrs Fletcher was an animal lover who took in stray cats. The *Tiger Puss* was

named after one of her favourite rescued cats.

Mr Fletcher's mother, Nona, from Sowerby, west Yorkshire, said: "I am very upset. Terry and Pat lived for their boating trips."

Tim Durrell, South Norfolk District Council environmental health officer, said: "The Nor-

folk Broads look peaceful and harmless in the spring sunshine, but the water is still very cold and the currents exceptionally strong. Lifebelts should be worn at all times on the water."

Stanley Halliday, 75, has lived alongside the River Waveney at St Olaves for 19

years. "People never realise how dangerous the river is," he said. "The current can be very strong here and the water level rises and falls around three feet on the tide."

"When the tide turns it is almost like somebody has pulled a plug out. It is a very fast running current."

## Calves exporter questioned after protester is shot

By Michael Hornsey

AN EXPORTER who flies calves to the Continent for veal production is being questioned by police after an air rifle was allegedly fired at animal rights protesters outside his home.

Chris Barrett-Jolly was arrested on Sunday in the village of Frankton, Warwickshire, and taken to Rugby police station. He was released but told to report to the police today for further questioning.

For the past five months Mr Barrett-Jolly's home, a former rectory, has been besieged by up to 30 activists every week-end and often on weekdays. The protesters have thrown sticks and stones through windows and hurled stones at cars driven by Mr Barrett-Jolly and his wife, Maria, forcing them to hire security guards.

Mr Barrett-Jolly, 48, is alleged to have fired at a man who had climbed with a video camera into a tree in his garden. He said: "I cannot comment on the allegation that I used a gun, but I was very angry to find a chap up a tree on my land apparently trying to video my son. This was extremely worrying as protesters have issued threats against his life."

Mr and Mrs Barrett-Jolly say they have received letters threatening their 13-year-old son James. Mrs Barrett-Jolly said: "Fortunately he is at boarding school most of the time, but two weeks ago some protesters grabbed an eight-year-old boy in the village and asked him, 'Are you Barrett-Jolly's kid?'"

Tony Haughian, 34, from Birmingham, who claims to have been shot by Mr Barrett-

Jolly, said: "We were having a peaceful protest until someone shouted that Jolly had got a gun. I climbed up a tree to get a better view to film it with a camcorder that I had."

"I then noticed he was pointing this air rifle at people so I recorded. Then I realised he was within three to four yards of me with the gun pointing at me. He fired two shots at me."

Inspector Harry Kilgour, of Rugby Police, said that damage had been caused to a video camera. "The alleged incident involves an air rifle," he said.

Protesters stepped up their campaign against Mr Barrett-Jolly in February after a demonstrator, Jill Phipps, was killed when she fell under the wheels of a lorry delivering calves to Coventry Airport for export to Amsterdam by his company, Phoenix Aviation.



Barrett-Jolly filmed holding his air rifle

## Head 'used school cash to stock his freezer'

By a Staff Reporter

A PRIMARY school headmaster stole nearly £2,000 from school funds to fill up his freezer, buy cigarettes and alcohol and pay his bills, a court was told yesterday.

Geoffrey Burley falsified the accounts to show that the money had been spent on school trips, stationery, repairing vandalised property, and on the parent-teacher association summer fete, Martin Meekie, for the prosecution, told Plymouth Crown Court.

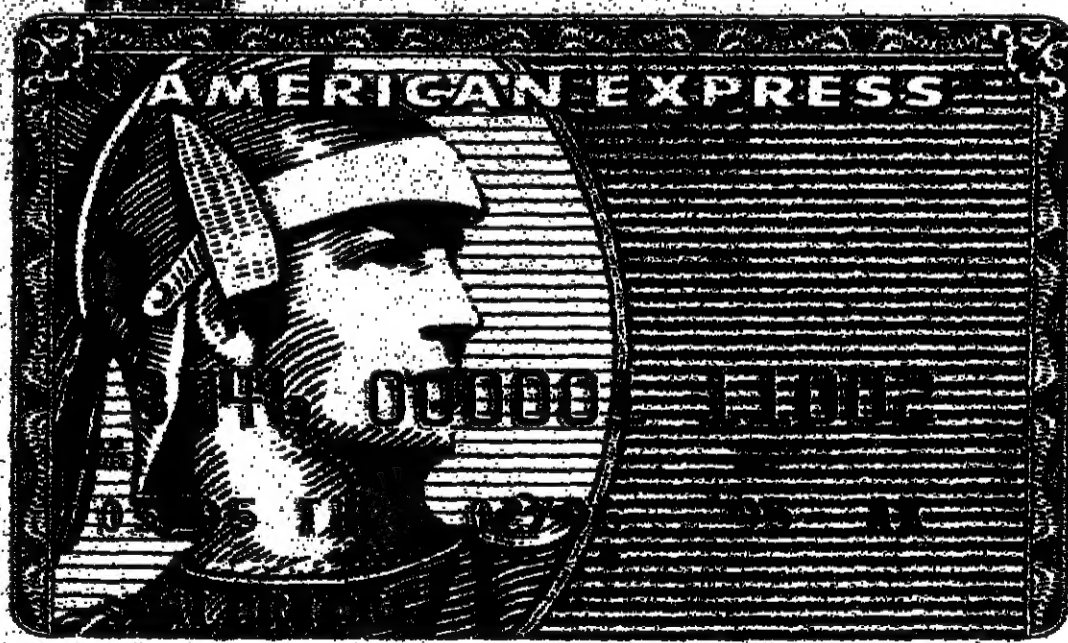
Mr Meekie said Mr Burley was in charge of money raised by plays, pantomimes and other events at Widely Court school, Plymouth. He had a "free rein" over the account because he got the school secretary to sign cheques in advance.

"Mr Burley abused the fund and plundered it for his own use. In short he stole from the children at the school," Mr Meekie said. He had used £100 for a garage bill, £30 to pay for his cats' inoculations and £73 to pay Access. Hundreds of pounds were spent on trips to a cash and carry store.

"I read recently that a third of children have taken up smoking, but to spend £36.88 on cigarettes for primary school children is not a purchase one would expect from a headmaster," Mr Meekie said. "He also bought beers, spirits and wines — and all this for children ranging in age up to 11. There were also meats, household goods, cosmetics, toiletries and pet foods."

Mr Burley denies eight charges of theft from the school, where he was headmaster until 1993. The case continues today.

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## Beached killer whale had huge blood clot in heart

By Dominic Kennedy

THE killer whale that died after becoming stranded on a Kent beach was suffering from an enormous blood clot in the heart, a post-mortem examination has found.

Scientists remain baffled about why the whale was so far south of its usual haunts off Scotland, Norway, Greenland and Iceland. It was the first killer whale to be beached in England since 1978.

Laboratory tests will indicate whether its immune system could have been affected by pollution. It had been suffering from a bacterial infection. The 18ft adult killer whale, or orca, was the mother of two or three calves. It was refloated by rescuers after becoming stranded on the mudflats of Pegwell Bay last Tuesday. On the next tide

it was washed up near Sandwich.

The whale was put down by a veterinary surgeon who injected 20ml of Immobilon, a horse anaesthetic, into its back muscle and a dorsal fin vein. The carcass was removed from the beach using lifting gear. Officials were worried about dangers to the public from a carcass containing a drug that can kill humans in tiny doses.

The remains were taken to a depot where a post-mortem was carried out in the back of a dumper truck by marine biology experts: Paul Jepson, of the Zoological Society of London, with David George and Nick Evans of the Natural History Museum.

The 60cm blood clot had grown through the valves of the left side of the heart into the aorta, obstructing the blood flow. Mr Jepson had

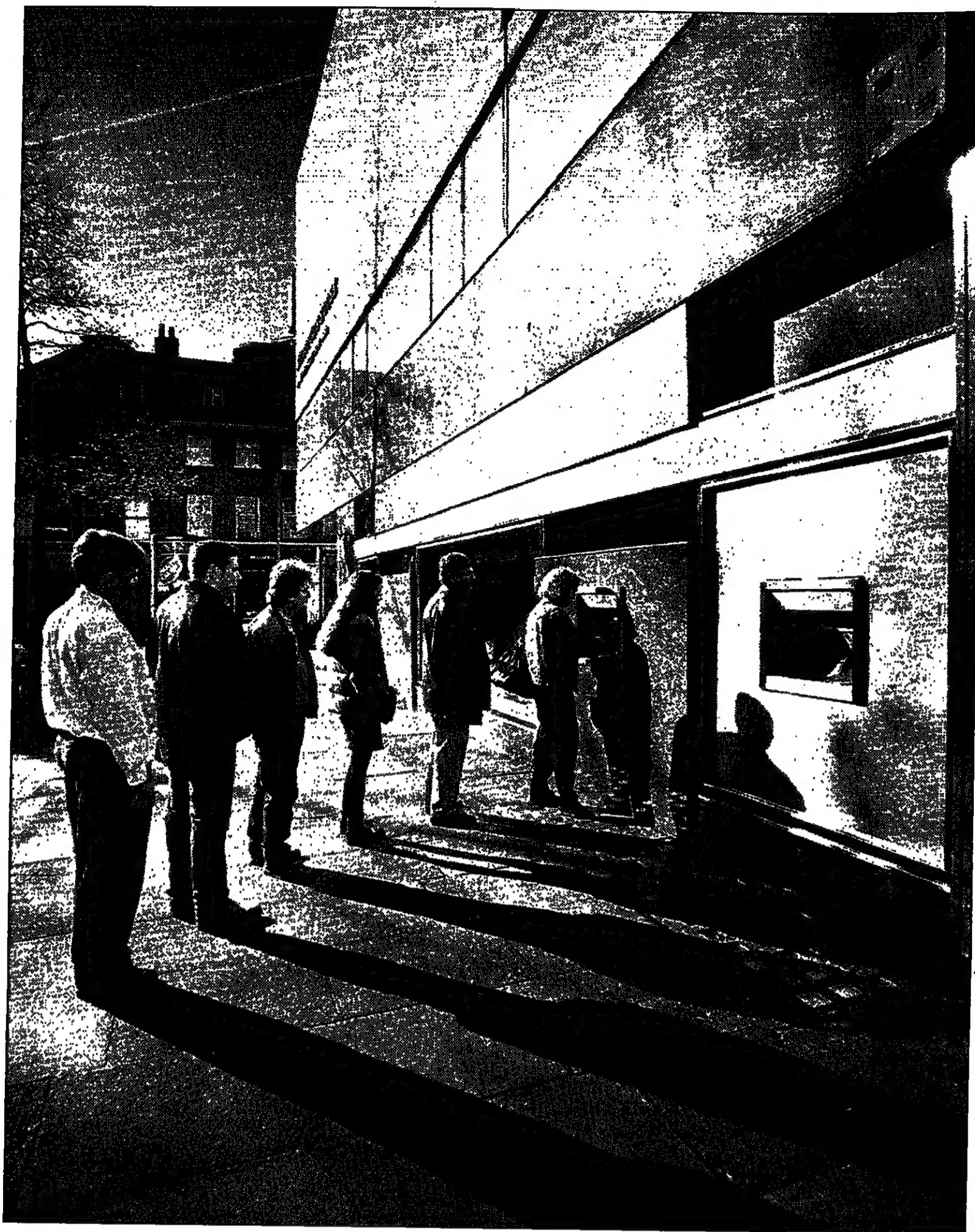
never seen such a huge clot. The whale had an abscess the size of a tennis ball on its underside, another abscess in its thyroid gland, and its lymph nodes were swollen — signs of an infection possibly to blame for the clotting.

The whale's stomach contained about 20 squid beaks, which are hard to digest. The whale seems to have fasted for days before its death.

The scientists did not have time to examine the whale's brain before its carcass was removed for disposal, so they cannot say whether its navigation system had been affected by a stroke.

It is unlikely that the whale was lost. Killer whales are used to swimming close to the shore so it is rare for them to be beached because of a navigation problem. The whale probably came ashore because it was ill.





## When people moan about their bank, why don't they go elsewhere?

The British seem to be happy to moan about things, but when it comes to taking action, we're a little coy.

A recent estimate says that nearly

**"There's no point in changing, all the banks offer the same services."**

Mr S P Mundy, Essex

four million Britons are unhappy with their bank. Odd, because last year only half a million people switched accounts and actually did something about it.

We wanted to find out why these figures didn't quite stack up. So we did a detailed survey among 1000 people\*, and discovered two principal reasons: firstly, people feel that all banks are as bad as each other — it's simply a case of 'better the devil you know'. Secondly, people fear

that the whole process of switching is going to be too complicated and messy.

So what are we doing about it? Two things: in order to mark us out

from other banks, we are investing substantially in a refurbishment programme. We're introducing more customer privacy, updating our cash machines and by the end of the year we'll have more 24 hour lobbies than any other bank in the country.

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**"Moving bank would be a lot of bother."**

Mrs J Thomson, Lancs

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### The Listening Bank

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\*Audience Selection interviewed a representative sample of 1006 adults aged 15+ between 24th and 26th March 1995. Midland Bank plc reserves the right not to open an account. Service guarantee applies only to persons living in England, Scotland and Wales.

هكذا من الأصل

Motorway  
teetop battle

Teachers found  
to have poor  
track of subjects

sponsored police  
goon the beat



Specially trained climbers sent in to remove woodland demonstrators from path of new road

## Motorway protesters in treetop battle with bailiffs

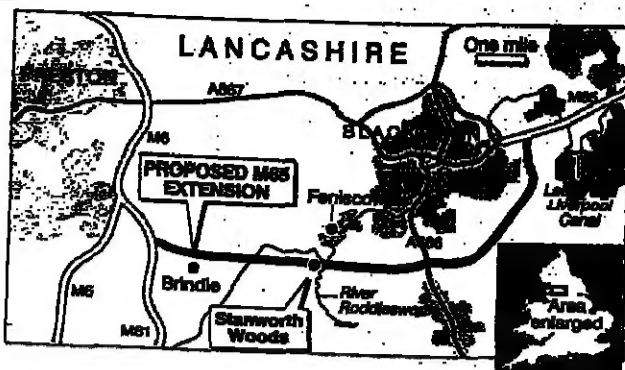
By KATE ALDERSON

PROTESTERS blocking the path of an £80 million motorway extension yesterday mounted a fierce fight against efforts to evict them from their tree-top village. They struggled violently in the branches of trees 50ft above the ground as specially trained climbers tried to remove them.

About 300 police and security men backed up the Under-Sheriff of Lancashire, Andrew Wilson, who organised the eviction from Stanworth Woods, near Blackburn.

By yesterday evening nine people had been evicted from the trees and two others arrested for obstruction. Bulldozers were brought in to level the land and clear debris and only two treehouses remained in the area cleared by police.

Eight treehouses were believed to have been cut down. There were claims and counterclaims of excessive force on both sides as the long struggle continued to clear



half a square mile of the steep valley, which the protesters claim is an outstanding example of ancient woodland.

When the police and security guards lined up in fluorescent tunics in the morning, the protesters, many of whom have been living in the trees since last August, pulled up their rope ladders and began whooping, whistling and banging drums.

After a warning was given that anyone found within the cordoned-off area would be liable for arrest, a 20-year-old

woman shouted down from her tree: "We've got nine gallons of water up here, food for three weeks, and we are here until the end."

Peter Scott, 50, from Colne, Lancashire, yelled as he shinned up a tree: "We are saving the world. There's nothing more important than a man of my age should be doing."

Then Mr Wilson sent in two teams of four climbers, trained to mountain-rescue standard, to remove the first of the tree-dwellers whose homes were linked with more than

three miles of wire walkways. Protesters, many of whom were attached to the trees with ropes and buckles, screamed and shouted as they tussled in mid-air with the climbers. Some swung perilously on their ropes, crashing into branches.

Mr Wilson acknowledged that the eviction could take many days. "This is extremely dangerous and slow," he said. "The walkways are unsafe for my climbers and the protesters are endangering their lives by using them. The protesters are prepared to put themselves at substantial risk to avoid being removed."

"There is certainly much more than passive resistance. I am not too surprised but I am disappointed. It looks as if everyone taken out of the trees will be resisting and so everyone will be arrested. It looks as though there will be a lot of arrests."

Some of his men said that tree-dwellers had stamped on their heads and hands. Sarah, 19, a protester from Wales,



A bailiff struggles with one of the protesters who have established a village of treehouses with walkways

complained about the climbers' tactics after being evicted from a treehouse. "They are cutting the walkways from underneath us and people's hands are red raw from hanging on."

The Rev John Cree, the local vicar, acted as an unofficial

observer. He had been asked to attend by the protesters, but said he was impartial.

"I am telling both sides that things have to be done properly. The protesters have a legitimate right to protest, but ultimately they have to come down. I am asking them to

carry out more passive resistance." The estimated cost of security at the site from August until the end of March was £2.2 million; the eviction will greatly increase the cost. The protesters claim that the second stage of the road extension, covering 7.3 miles

and estimated to cost £77.9 million, would destroy flora and fauna and the ecology of the area and that the road will increase congestion.

Councils and industrialists say the road is necessary to relieve congestion and promote economic regeneration.

## Teachers found to have poor grasp of subjects

By BEN PRESTON, EDUCATION CORRESPONDENT

PUPILS in state schools are being held back by their teachers' poor grasp of the basics, inspectors reported yesterday. Junior schools are the weak link in the education system, with too many teachers struggling over elementary mathematics, science and grammar.

The Office for Standards in Education said that shortages of books in thousands of schools were also hampering the drive for higher literacy standards. Also, too many pupils could not remember multiplication tables or calculate simple sums.

The findings will fuel the argument over the squeeze on school budgets. A coalition of parents, teachers and governors insists that state education is being damaged by shortages of books and equipment as well as growing class sizes. But Conservatives maintain that teaching methods are more influential than small fluctuations in funding levels.

In English, the inspectors identified persistent weaknesses in teachers' knowledge and expertise. They recommended that all schools provide training where necessary to teach staff about "formal aspects of language, particularly grammar and syntax".

While standards in English were good or very good in 35 per cent of schools, 20 per cent of schools failed to teach the subject adequately. Standards were lowest in junior schools and in the first three years of secondary education.

The inspectors were most concerned about writing standards, with only one junior school in seven performing

well. That was often the result of too little attention being given to skills such as handwriting and spelling. At secondary level, strengths outweighed weaknesses at four out of ten schools.

The inspectors said that the reading ability of pupils in 10-15 per cent of schools was being hindered by the paucity of books. The presence of a well-stocked library and professional librarian helped to ensure high standards. One in seven schools suffered a shortage that, in particular, handicapped the progress of good readers aged seven to 14.

In mathematics, the inspectors found that teachers showed a good command of their subject in only 30 per cent of primary schools in 1994. A quarter of junior school teachers did not have sufficient understanding to teach the subject properly.

Pupils' achievements were less than satisfactory in 25 per cent of infant schools and one in three junior schools. The inspectors said pupils could fall behind by the age of 11 because progress in lessons was too slow and "misconceptions are not addressed". In science, the inspectors urged action to enhance the knowledge of primary teachers.

The inspectors said the standards of religious education in primary schools were uneven, with the curriculum varying widely between schools. Some attached such a low priority to the subject that they did not have enough books to teach it properly.

Education, page 42

## Sponsored police go on the beat

By IAN MURRAY, COMMUNITY CORRESPONDENT

THE first four policemen to be "sponsored" by a local council began pounding the beat yesterday in Corby, Northamptonshire. The community constables will cost the town £110,000 a year, which the council regards as good value.

"More officers on the streets will result in less crime and that will pay dividends," John Newton, the Corby spokesman, said. The money will come not from council tax but from the £150,000 profits made by the Labour-controlled authority in organising a regular Sunday market. The arrangement

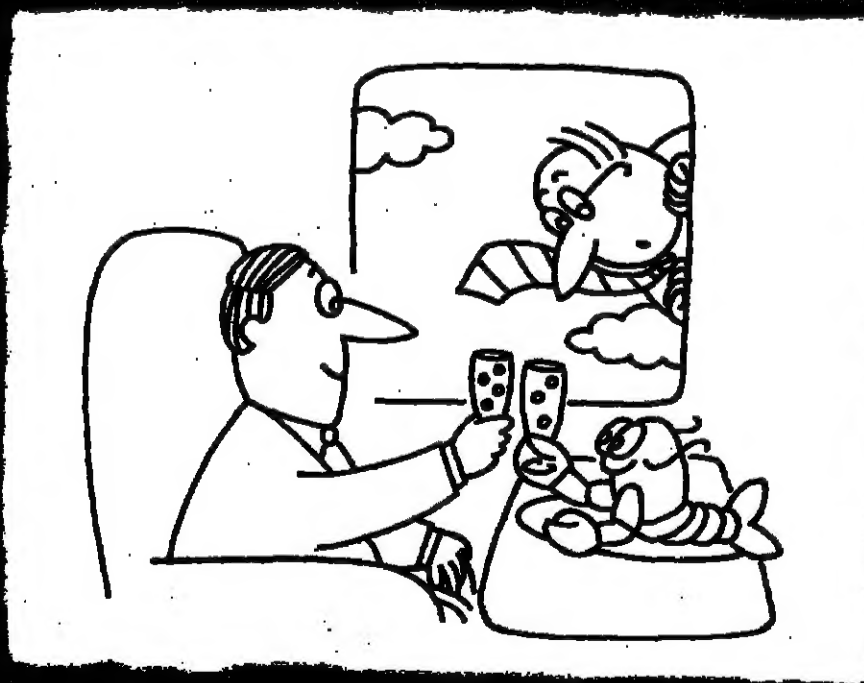
will have to be approved each year when the council prepares its budget.

Police sponsorship became possible last month under the Police and Magistrates' Courts Act and Corby council is the first to take advantage of it. Joe Sims, chief Labour whip, said: "Surveys across the country show people want more police patrolling the streets. When the money became available, this was our first priority."

The council has agreed to pay for the policemen only if they go out on the beat and are not used for clerical work. The four are all experienced officers and their places in police stations have been taken by probationers.

PC Martin Kinchin, one of the four, said yesterday: "We will be able to spend much more time patrolling what will be a smaller beat. We will be spending virtually all our time on patrol in Corby and that can only benefit the people living in the town."

Ted Crew, Northamptonshire's Chief Constable, said: "I realise that the long-term funding of the project cannot be guaranteed but in the meantime this initiative will increase the number of community officers and that can only be a bonus."



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# Clergy union seeks treble stipends for loss of job security

By RUTH GLEDHILL, RELIGION CORRESPONDENT

CLERGY should be paid a stipend of £35,000 — nearly treble the current minimum — if their job security is taken away, their new union section said yesterday.

The pay claim was instantly dismissed by the Church of England's General Synod of office as "based on false premises". Although the claim is unlikely ever to be supported by strikes, it indicates the depth of concern among clergy about their jobs.

More than nine out of ten Anglican clergy are worried about their economic situation, according to a survey published yesterday by the clergy section of the Manufacturing, Science and Finance Union.

A survey of nearly 550 clergy in 25 dioceses found that 62 per cent felt their stipends, a minimum of £12,800, were not enough. Nearly half were worried about job security and 91 per cent about their economic situation, and 61 per cent supported the introduction of employment contracts.

The MSF is arguing for a salary of £35,000 to compensate for loss of housing and job security should the clergy freehold be removed. Of nearly 11,000 stipendiary clergy in the Church of England, about two thirds are vicars or rectors and have incumbent status or a freehold, which guarantees them a job for life until they reach retirement at 70.

The union is also willing to agree a no-strike agreement for clergy but wants them to

have union recognition and collective bargaining. The MSF, Britain's fifth largest union, has 482,000 members, of which 300 belong to the clergy section launched in September.

The Rev Eric Shegog, the Church's director of communications, said: "The figure of £35,000 is based on false premises. It is certainly more than most bishops earn. The only people who earn more are the Bishop of London and the Archbishops of Canterbury and York. Housing is available to clergy when they retire, to rent or to buy. And the whole question of job security is hypothetical."

But most dioceses are debating plans to reform the freehold, such as converting it to a leasehold system where jobs are renewed every seven or ten years. The MSF, which

yesterday presented its response to the plans, believes "changes are being proposed which would remove the remaining forms of stability which historically have compensated for the personal sacrifices made in order to serve in the ordained ministry".

As the Church faces stringent financial cuts because of losses incurred in the 1980s by the Church Commissioners, who manage its multimillion-pound assets, more dioceses are cutting clergy numbers and reducing freeholds as clergy retire.

Newly appointed clergy are being given jobs as priests-in-charge, assistants or curates, where they are provided with a stipend and a house but are given neither a freehold nor a standard contract of employment. Problems arise when they are asked to leave or not given a new job at the end of the term. Most are unable to afford a mortgage.

The Rev Dawn Rowland, a non-stipendiary assistant priest and a member of the union's clergy committee, rejected criticism that clergy should not join trade unions. Ms Rowland, of Purley, Surrey, said that she had long been a member of the Health Visitors' Association. "I saw a lot of the benefits of having a professional organisation. A lot of the objections stem from a misconception of what a union can provide for its members."



Rowland: misconceptions

Letters, page 21

## Suicide bid after drug error

By PAUL WILKINSON

A WOMAN twice tried to kill herself after she was given the wrong drug to treat her depression. An error by staff at Boots meant that Donna Vaudin was given steroids, which can make the illness worse.

Boots has offered her £1,000 compensation after admitting a mistake by staff at a branch in Leeds. Mrs Vaudin, 28, a university administration assistant, of Lofthouse, near

Wakefield, became depressed last year. In September her doctor prescribed Faverin but staff at Boots gave her the steroid fluorocortisone.

She said: "I started to feel worse and became suicidal. I was throwing myself under buses and in front of cars." Her husband, Stuart, said: "I would come in to find her lying on the carpet in a dark lounge, not even dressed."

The mistake was discovered a month later when Mrs Vau-

din's GP issued a repeat prescription that was made up correctly by another branch of Boots. Still depressed, however, Mrs Vaudin took an overdose and needed hospital treatment.

The couple complained to Boots, which made an initial offer of £1,000 compensation last December. The Vaudins are pressing for £10,000. Yesterday Boots said it was prepared to review the offer on receiving medical details.



Students celebrating in traditional style by jumping from Magdalen Bridge.

## May Day revels pass off safely

By ROBIN YOUNG

POLICE claimed complete success in cutting the number of injuries in Oxford's traditional May Morning celebrations yesterday.

More than 18,000 turned out for the dawn festivities, of whom 19 were taken to hospital, mostly for minor injuries such as sprained ankles or mild hypothermia. Only one person was hurt jumping 18ft from Magdalen Bridge into the 4ft-deep River Cherwell.

Last year 22 people were injured making the jump, which has become a more popular part of the May Morning celebrations than the traditional madrigals by choristers from Magdalen College tower.

Police had appealed to undergraduates not to leap from the bridge, but more than 40 did so at 6am, some wearing dinner jackets, others in their underwear. Two jumped hand-in-hand with an inflatable doll.

Paul Williams, 19, who leapt in his underpants, said: "There's no great danger as long as you're careful. It is a bit of fun and thousands turn out to see us, so the tradition is not going to stop."

His friend, Phil Vipond, 20, said: "The police concern is quite understandable but you're OK if you watch where other people jump and go for the same spot." Alex Porter, 20, who leapt dressed in dinner suit and spotted bow tie, said: "It's freezing in there but it's a good laugh and I'll be back next year."

Inspector Steve Wilson, in charge of policing the celebrations, said: "This morning has been a complete success with no problems at all. The crowd's behaviour has been superb. It is disappointing that as many people as ever have jumped in but they seem to have got the message that diving in or doing somersaults and back-flips is a bad idea. They have jumped feet first, which accounts for the reduction in injuries."

For the first time a public address system amplified the choir efforts. Roger Davenport, 53, said: "It was the first time in 20 years of coming here that I have been able to hear them."

## Girl aged 16 charged with knife murder

A 16-year-old girl appeared before Southampton Youth Court yesterday charged with the murder of Nicholas Byrne, 21, a construction worker from Eastleigh, Hampshire. Mr Byrne was found slumped in the doorway of a block of flats in Sholing, Southampton, on Friday. He had died from multiple stab wounds to the chest.

The girl, who cannot be named for legal reasons, was in tears when she appeared in court with her mother and a social worker. She was remanded to secure local authority accommodation to appear again in court on Friday. There was no application for bail.

## £1bn tax owing

The average council tax could be cut by £45 if councils could collect £1 billion they are owed, according to Revenue Management Services, a debt collection agency. Almost half the debt is unpaid poll tax. Councils are expected to write most of that off.

## Bail in siege case

A former soldier who is alleged to have held his daughters hostage for 36 hours was freed on bail by Macclesfield magistrates. Nicholas Cullerton, 32, of Wilmslow, is accused of assaulting his wife and holding two of the three girls unlawfully.

## Driest April

Last month was the driest April for 11 years, despite the wet and cold Easter, according to the London Weather Centre. April had nearly 193 hours of sunshine, 46 per cent more than average. In central England, only 27mm of rain fell.

## Assault by boy

A boy aged 14 who tortured an 11-year-old boy in a field for seven hours was given a 12-month supervision order by Preston Crown Court. The boy, now 16, from Great Lever, Greater Manchester, admitted kidnapping and assault. He was not named.

## Park owner dies

The owner of two pleasure parks has died in hospital four months after a road accident. Robert Gibb, 57, a millionaire from Scarborough, owned Flamingoland, near Pickering, North Yorkshire, and Pleasure Island Park in Cleethorpes.

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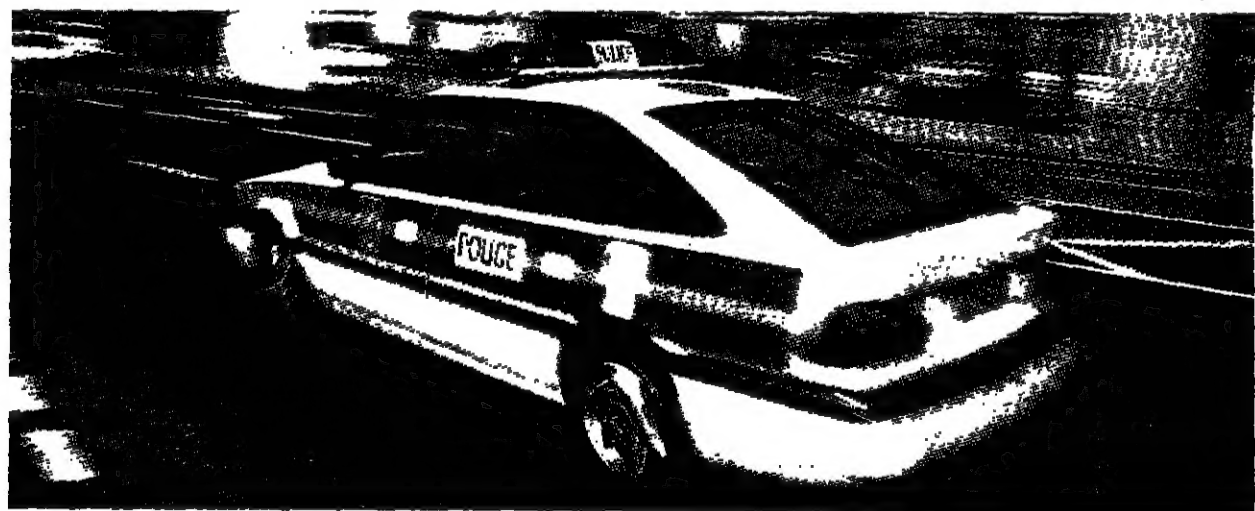
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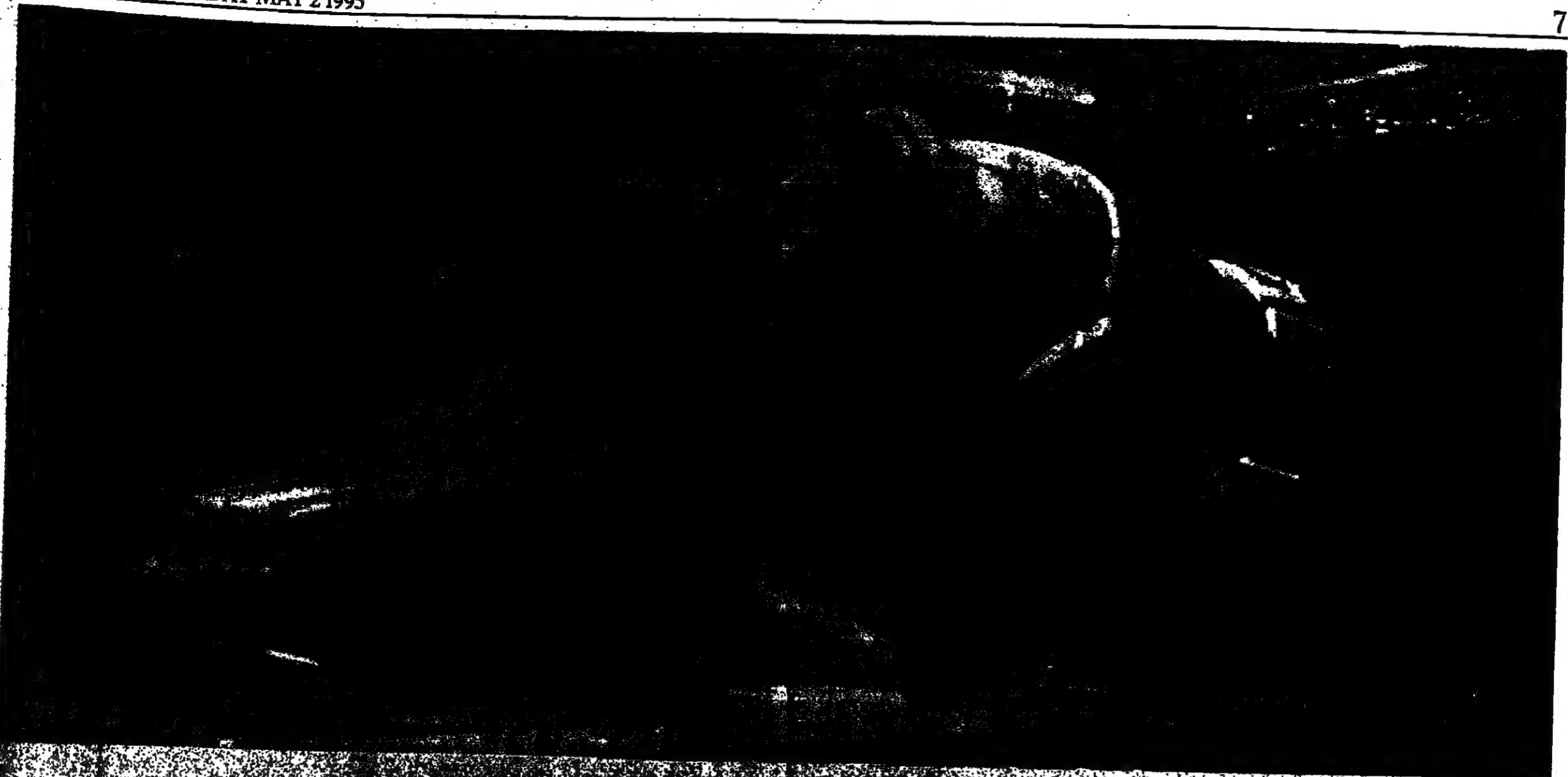
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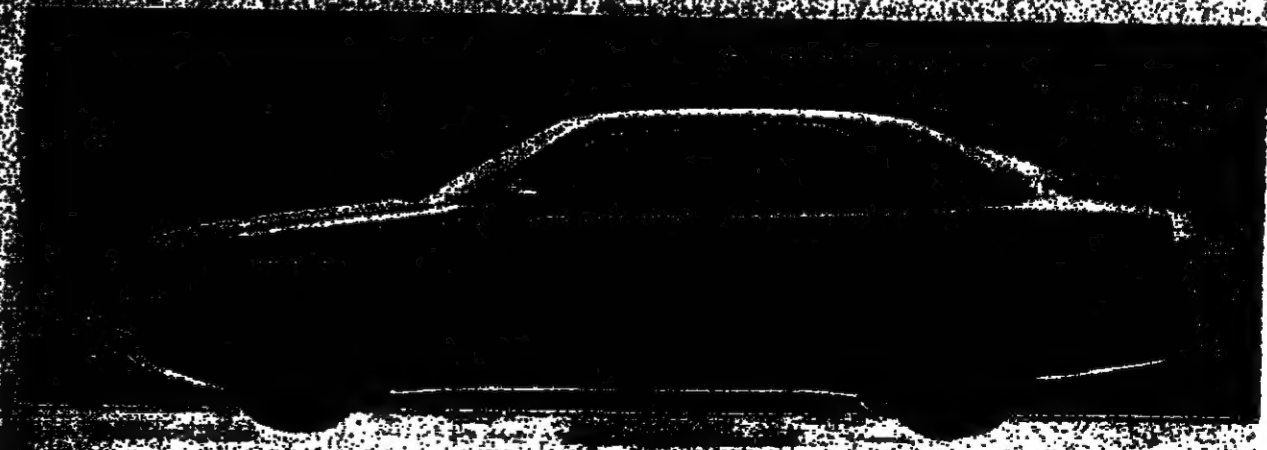
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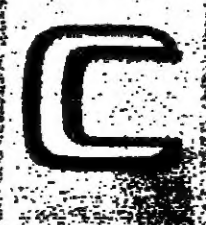


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Fire extinguishers failed as rescuers fought blaze caused by badly fitted petrol cap

# Officer cadets died after Land Rover burst into flames

By RICHARD DUCE

TWO Oxford University army cadets who died after a training exercise were seen laughing and giggling moments before their Land Rover burst into flames, an inquest was told yesterday.

Cadets and regular soldiers who tried to douse the flames found that three of their seven fire extinguishers did not work. A sergeant major's hair caught fire as he fought to free the young women from the wreckage.

Karen Buttershaw, 19, of Hunstanton, Norfolk, was pronounced dead at the scene of the accident. Rebecca Norris, 30, of Maidstone, Kent, was flown to hospital with serious burns and died two days later.

The women were students at Oxford Brookes University

and members of Oxford University Officer Training Corps. They took part in the training operation, called Scarlet Return, last October with 40 other cadets attached to the Royal Armoured Corps.

The inquest in Salisbury was told that Miss Buttershaw was driving the canvas-topped Mark Three Land Rover, borrowed from the Grenadier Guards, with Miss Norris as her passenger when the vehicle appeared to stall and roll back down a hill.

Sergeant Major Beardsmore, an instructor with the Royal Armoured Corps, said that moments before the crash he had seen the two women giggling and waving at him through the windscreen when the vehicle began to roll backwards. "I started running down the hill and as it went into a second roll I noticed flames coming from the en-

gine. Then the whole vehicle seemed to burst into flames. When I reached the Land Rover I could hear the girls inside. I tried to open the driver's door but I couldn't because of the flames.

"The canvas top burned away in seconds and Rebecca was able to crawl out. I tried to get Karen, but all I could see was flames and then suddenly she appeared. I reached out to grab her but the heat was too intense and I had to come out again. Then I went back in and this time managed to grab her and pull her out."

Sergeant Major Beardsmore's hair caught fire during the rescue effort. He said: "I was not aware that I was on fire myself. Everything happened so quickly, I suppose the adrenalin was pumping."

Darryl Stearn, a student nurse and officer cadet, said that the Land Rover rolled



Karen Buttershaw, left, and Rebecca Norris, who were members of Oxford University Officer Training Corps

about three more times after the flames appeared before coming to rest. "I ran down the hill and yelled back to my crew to get some fire extinguishers."

Adam Turpin, a cadet with the rank of 2nd lieutenant, said: "We had seven fire

extinguishers from the other Land Rovers. Three out of seven of them did not work. The flames kept reappearing. The fire was too strong and we just could not put the flames out."

After the two women were dragged from the Land Rover

their colleagues smothered their bodies with blankets and camouflage jackets.

The inquest was told that the vehicle caught fire because petrol escaped from a fuel cap that had not been properly tightened. Roger Tombs, a fire investigator with Wiltshire

Fire Brigade, said that he found the petrol cap on the driver's side was hanging off. "The petrol vapours would have been ignited by an electrical spark. I believe the cap was not properly tightened and it had been put on at an angle." The hearing continues.

## Radio 1 audience falls by a further 500,000

By ALEXANDRA FREAN  
MEDIA CORRESPONDENT

RADIO 1's audience fell by nearly half a million in the first three months of this year, more than twice as many listeners as deserted the station at the end of 1994, according to figures issued yesterday.

The decline, which took the station's weekly audience down from 11.01 million in December 1994 to 10.51 million by the end of March, represents a huge setback for the BBC which predicted in January that the station's listener figures were stabilising. Its audience has declined by more than five million in the past 18 months.

Sue Farr, head of marketing and publicity for BBC network radio, blamed a series of adjustments to the schedule and the departure of Steve Wright, the breakfast show presenter, which "unsettled audiences". Ms Farr said: "We still believe the losses are stabilising." She said that initial reactions to Chris Evans, the new breakfast show presenter, had been positive, and added that the figures compiled by Radio Joint Audience Research Limited showed that 1.8 million children listened to the station every week.

Across its stations, the BBC increased its share of the radio audience, taking 48.7 per cent compared with the commercial sector's 48.4 per cent. Radio 2 saw its audience share rise to a record 13.4 per cent, making it the country's most popular station. Radio 5 Live increased its audience by 360,000 listeners a week to 5.13 million.

Talk Radio, Britain's first 24-hour national speech-only commercial station, which came on the air on February 14 promising provocative presenters, attracted 1.6 million listeners in its first five weeks: three million had been predicted. John Aumonier, the station's managing director, said that he expected the audience to be three million a week by the middle of the year.

Jerry Thomas, who is to join Talk Radio from GMTV next week as programmes director, said he would ban "gratuitous swearing". This follows a series of complaints to the Radio Authority about bad language and offensive material. In its latest monthly bulletin, the authority upheld eight of the 25 complaints it had received against the station.



Farr: losses stabilising

## Opera chief appeals against noise fine

By TIM JONES

THE strains of Strauss and Haydn and the crashing of discarded champagne bottles combined to make life intolerable for residents of the village of Garsington, Oxford Crown Court was told yesterday.

According to some residents, the opera season at Garsington Manor destroyed the peace of otherwise perfect summer evenings. Their claims were made as Leonard Ingrams, chairman of Garsington Opera, appealed against a £1,000 fine imposed by magistrates for contravening noise regulations.

Paul Hunter, who lives with his wife and 14-month-old son within sight of the manor, which "hopes this year to attract 9,000 people to 23 open-air performances, said: "The opera drove me to go away on holiday to the New Forest. It was like having muzak in the background all the time. The champagne bottles would crash at about 10.45pm. It was a frightening, abrupt noise, but at least I knew it was all over."

Monica Ward, a social worker, said the nights of the opera season made it impossible to sit in the garden. She had been threatened with High Court action if she used her motor mower during performances. Miss Ward said she had rejected an offer from the company for professional gardeners to mow her lawn.

At the start of his evidence Mr Ingrams said he had complied with all the regulations required of him and had received an assurance from the district council that there was no longer a problem. The case continues.

## Daffodils at risk from deadly grub

By NICK NUTTALL, ENVIRONMENT CORRESPONDENT

DAFFODILS are under attack from an insect pest that uses the flower's bulbs to incubate and nourish its grubs. Up to a quarter of the crop in the bulb-growing areas of Cornwall and the Isles of Scilly have been attacked by the large narcissus fly so far this year.

Farmers fear the £30 million business may be finished in two or three years if the infestation is not controlled. Scientists with the Ministry of Agriculture are working to find a way of killing the pest, which lays its eggs in the soil. The grubs then burrow into the bulbs, feeding on them for nine months before hatching out as flies.

Aldrin, the pesticide that daffodil farmers used to use to control the insect, was banned four years ago because it was deemed too toxic for other wildlife. Two other chemicals have been identified as capable of controlling the fly, which resembles a small bumblebee. But one of them is also considered too toxic and the other is too costly.

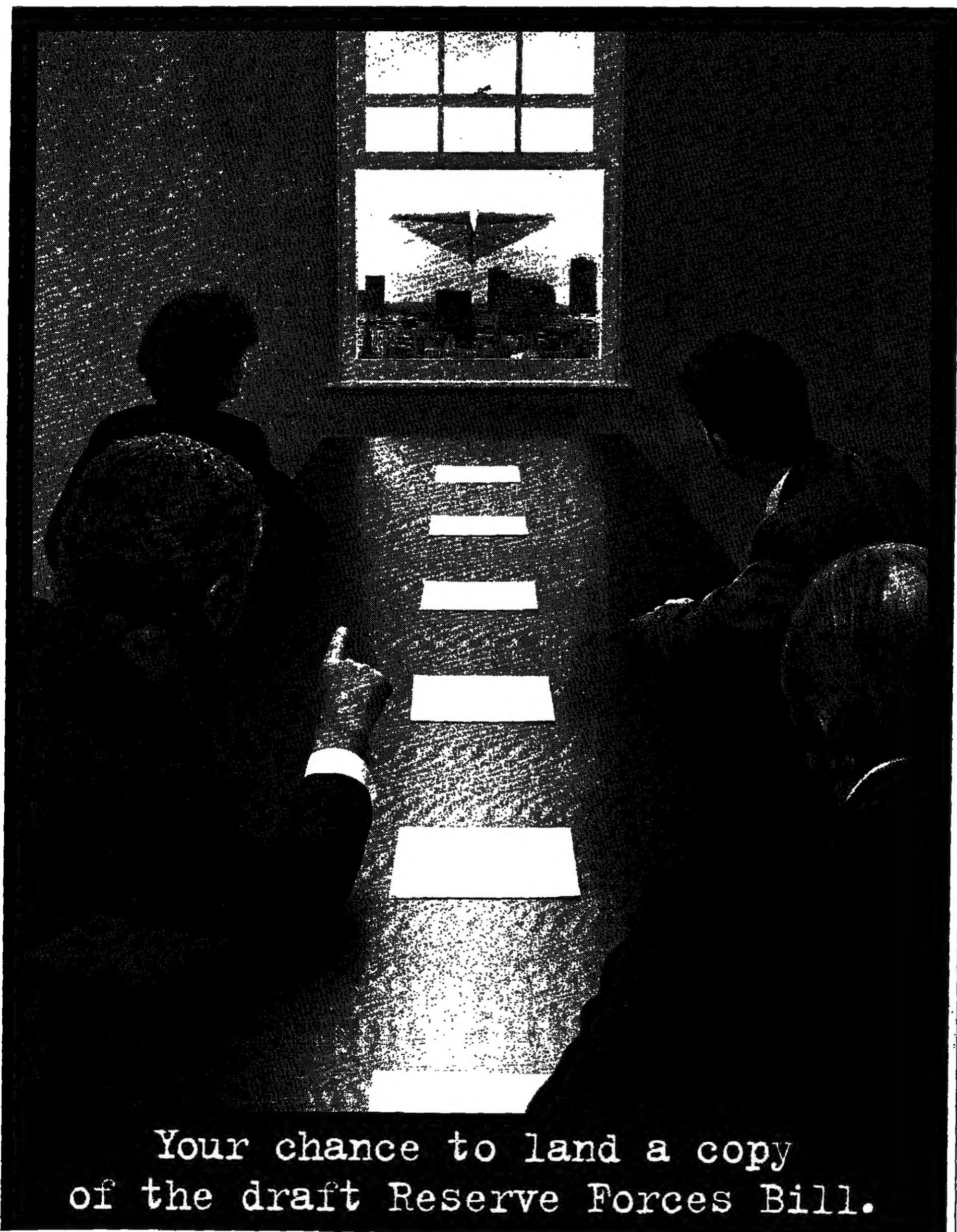
Steve Tones, of the ministry's agricultural advisory service in Starcross, near Exeter, said yesterday that researchers across the coun-

try were studying the fly to discover a method of controlling it. One technique, stemming from a finding that daffodils in parks have a low infestation rate, might be to plant clover or grasses in and among the bulbs.

Flies also shy away from laying eggs in soils where daffodil leaves have been burnt. Researchers are studying the phenomenon to try to find a natural repellent. But Mr Tones said finding a treatment was a race against time and that the research was being hampered by lack of funds.

Jim Hosking, a member of the National Farmers' Union bulb committee, has a 100-acre narcissus farm at Tresillian, near Truro. Tests on areas of his fields have found 14 per cent of the bulbs already ruined, and a 11 per cent containing feeding grubs.

"It is very serious indeed. I don't think people realise the potential threat. If we can't control it, it will be like the times before the 1960s when chemicals against this fly were introduced. It would have been impossible then to build the large export trade in both flowers and bulbs we have today," he said.



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Between now and 15 June we are asking you, as employers, to air your views on proposed new 'call-out' legislation, which the Government has published in draft for consultation. Instead of the current statutory arrangements, designed with the Cold War in mind, the new legislation would allow more flexible use of the

Reserve Forces in the uncertain security environment we now face. Before the new legislation is laid before Parliament, we would like you, the employer, to give us your views, which we will pass on to the Government. NELC continues to seek support from employers for its Volunteer Reserve employees, in order that



companies, large and small, can continue to benefit from the additional skills and qualities brought to the work place. Please write to the National Employers' Liaison Committee, Duke of York's HQ, Chelsea, London SW3 4SS, or fax 0171-218 4888 for a copy of the draft legislation. You could land one on your desk straightaway.

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# Chelmsford Tories pin hopes on Labour resurgence

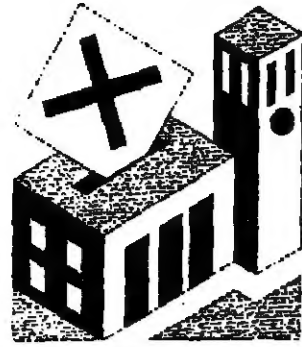
BY ANDREW PIERCE

FURTHER proof that Essex Man has deserted the Tories will be evident on Thursday if the old Roman fortress town of Chelmsford falls to the Liberal Democrats.

In 1991 the Tories regained the borough council from the Liberal Democrats against the national swing. But they lost absolute control at a by-election last December when one of their safest seats disappeared in a Liberal Democrat landslide.

Chelmsford Borough Council is a model of financial rectitude. The Tories are proud of their record in keeping spending below the level they inherited in 1991.

They have fought hard to stop the local election campaign being turned into a referendum on John Major. Essex, home of the Euro-rebel MPs Sir Teddy Taylor and Teresa Gorman, is still in love with Margaret Thatcher. Chelmsford, the county town,



LOCAL ELECTIONS

is not as enamoured with her successor.

Only the renaissance of the Labour Party under Tony Blair can save the Tories. In 1991 Labour secured two out of the 56 seats, all of which are being fought for on Thursday.

Labour has high hopes of capturing six at the expense of the Liberal Democrats. The present breakdown is Tories 28, Liberal Democrats 22, Labour 2, and independents 4. Chelmsford, a fairly pros-

perous commuter-belt town, has been hit by unemployment. The peace dividend has cost 2,500 jobs at the town's defence contractors since 1992. But last week the Tories were thrown a lifeline when the county council, controlled jointly by Labour and the Liberal Democrats, proposed the abolition of free passes for children who travel a long way to selected schools.

Chelmsford boasts two of the best performing grammar schools in the county, King Edward VI and Chelmsford County High School for Girls. The Tories, on the defensive throughout the campaign, have gone on the offensive.

But the Liberal Democrat mayor of Chelmsford is unrepentant. Michael Dilloway, 64, a retired Ford worker, said: "They only care about this in the Conservative clubs. When I tell parents in local schools they're considering abolishing free travel for children at posh schools they say 'good'. They are a minority



Michael Dilloway, Liberal Democrat Mayor of Chelmsford, and his wife. He says: "Major is our greatest asset"

of children at a minority of schools. Everyone else with children at comprehensive schools will say hard luck. The real issue here is John Major. He is our greatest asset."

Ken Wedon, the Tory group

leader, is inclined to agree. "John Major is an issue. I think the Conservatives' record at Westminster and perhaps the Prime Minister are difficulties. We are in Essex. There was a great

liking for Thatcherism. What we lack is national leadership. "We are persuading people to judge us on our record. Few other local authorities are spending less than they were four years ago with no com-

pulsory redundancies. The resurgence of the Labour Party will help us."

The election will provide one of the biggest tests of popularity of the three main parties in Chelmsford. The

"The Liberals are best. The others have had too many chances and messed up"

borough (population 154,000) includes the seats of three Tory MPs including Tony Newton, the Leader of the Commons.

On the streets of Chelmsford yesterday, Tory supporters gave the impression that they are likely to stay at home. Deborah Herron, 37, a mother of two, has always voted Tory but is unlikely to turn out on Thursday. Her husband, Robin, the director of a building company, feels the same. "I have always voted Tory but John Major is not inspiring," he said. "Tony Blair has improved the Labour Party's image, but I think the Tories have been there too long. I can't bring myself to vote for anybody else but I don't think I can support the Tories."

Joe Shelley, a retired postman, has alternated between Liberal and Tories over the past 10 years. "Politicians spend too much time arguing with each other but I think the Liberals are the nicest of the three," he said. "The others have had too many chances and messed up."

## Lib Dems show contempt for Clause 4 victory

BY ALICE THOMSON, POLITICAL REPORTER

THE Liberal Democrats poured scorn on the new-look Labour Party yesterday, accusing it of being riven by infighting, dogma and self-interest.

Only three days before polling for the local elections and after a weekend of Paddy Ashdown attacking the Government, the Liberal Democrats have finally turned their fire on Labour.

Yesterday they launched a document contrasting Labour's record in local government with their own and listed Labour councillors under investigation for smears and threats of violence and Labour councils that were mismanaging housing departments, adopting "misguided political correctness policies" and opposing open government.

The party is determined to win seats from "a smug and self-satisfied" Labour hierarchy and its "shambolic" local councillors in six key areas: Southampton, Stockport, Liverpool, Sheffield, Pendle and South Tyneside. They also want to make in-roads into Leicester, Corby, Birmingham, Blackburn, Bradford, Tower Hamlets, Stockton and Watford.

Nick Harvey, campaigns

and communications chairman, said that it was ridiculous for Labour to pretend that it had been transformed by the Clause Four vote. "From Leicester to Liverpool, from Southwark to South Tyneside, the Labour Party in power locally already shows the ugly side of the Labour Party that wishes to be in power nationally. Labour is still promoting the policies and practices of old Labour and there is little prospect of old Labour going away."

Clause Four was a matter of "extreme indifference" to voters. "It is the bread and butter issues like education, rail privatisation and taxes that they are concerned about and they have no idea where Labour stand on those," he said.

But his party will have a struggle to woo voters away from Labour. During a campaign visit to Southampton yesterday Tony Blair, the Labour leader, stopped to sign his autograph for a Liberal Democrat candidate.

Sara Coakley, who is standing for election in Bournemouth, asked Mr Blair to sign the back of her election pamphlet. "I admire you and I admire your policies though I am still a Liberal Democrat," she said.

Advertisement

## Toddlers alone in Rwanda need your help now

Report from Rwanda

THERE are babies, toddlers, young children everywhere, hiding in the bushes, lying in the mud, wandering dazed and alone, according to Ulfur Bjornsson, Field Director for Feed the Children in Rwanda. "They have had no food or water for five days. As if they had not suffered enough, many have been cut with machetes or stoned." Babies have been found sobbing beside the dead bodies of their mothers. When UK charity Feed the Children received news of the massacre at the Kibeho refugee camp, it worked through the night to complete the children's Transit Centre it has been building in Butare. Within 48 hours, 700 unaccompanied toddlers, infants and young children were brought to the Centre. Agencies are working together to find and collect these frightened, traumatised children and



You can help stop the suffering in Rwanda

bring them to the safety of Feed the Children's Transit Centre. Eight out of ten of these children are aged under five. They cannot fend for themselves. They need our help. With a gift of £25 from you, Feed the Children could feed 12 orphaned children for a week. Please don't wait. Tomorrow could be too late.

I can't ignore the suffering. Here is my gift of:

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Please make your cheque payable to Feed the Children

OR debit my ☐ Visa ☐ Access ☐ Switch card

CARD NUMBER

Last three digits of Switch card no.  Switch issue no.

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NAME (CAPS) MR/MRS/MISS/MS

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POSTCODE

TELEPHONE

OR please phone our donation line 0990 600610

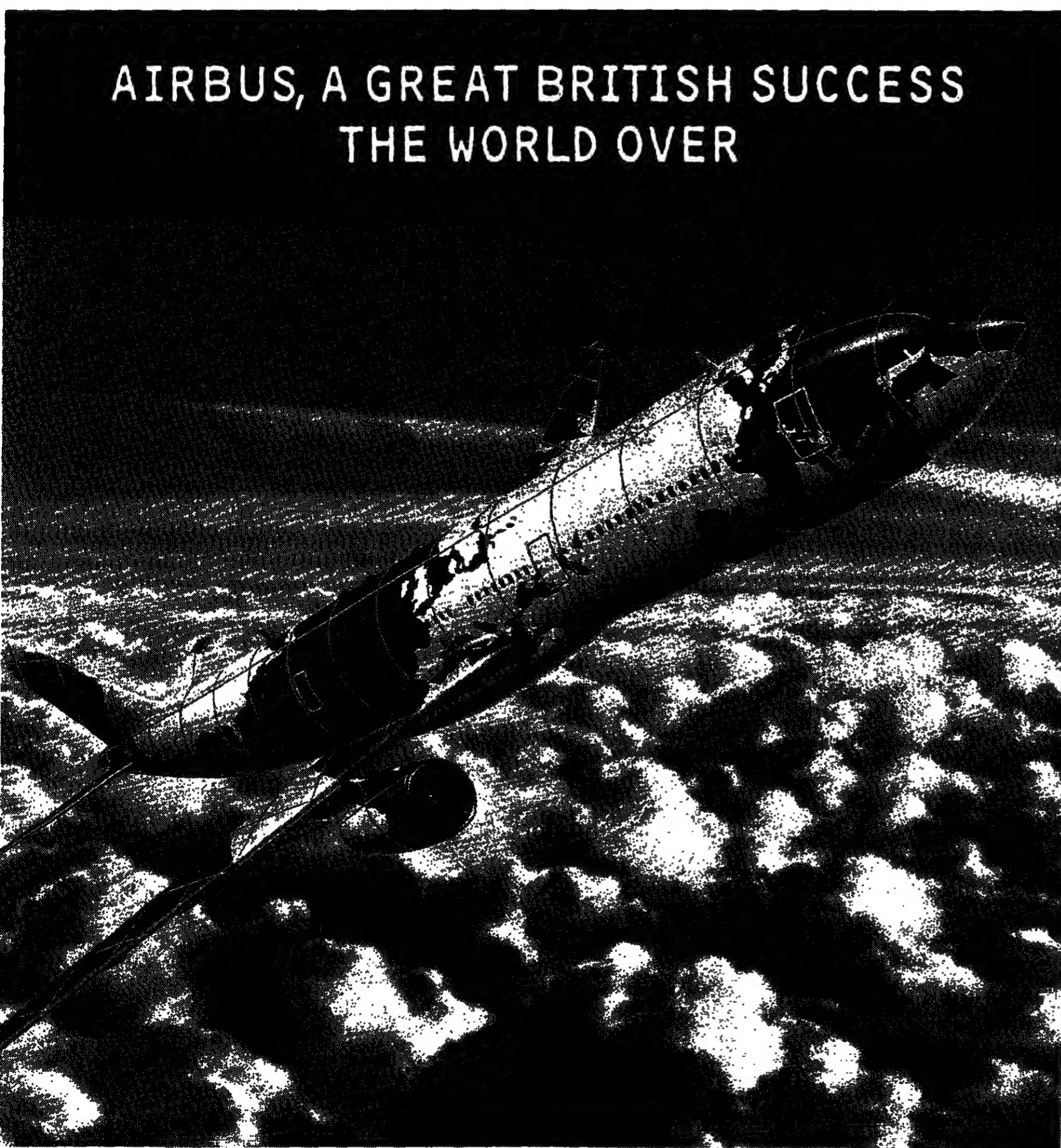
\*A gift of £250 or more is worth an extra third to us under Gift Aid.

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## RESISTANCE ENDS IN BERLIN

## BRITISH CAPTURE LÜBECK AND RUSSIANS TAKE ROSTOCK

## JUNCTION OF FORCES IMMINENT ON BALTIC COAST

An order of the day addressed last night by Marshal Stalin to the Red Army and the Red Navy announced that the garrison of Berlin surrendered at 3 o'clock yesterday afternoon.

The capture yesterday of Wismar, on the Baltic, by the Airborne Division has brought British forces to within less than 30 miles of forces of the 2nd White Russian front, which, at the same time, took Rostock, also on the Baltic. A junction between British and Russian forces would seem to be imminent.

## OUT OF BERLIN

### GARRISON


**1,000 PRISONERS**

## 1,000 PRISONERS

Stalin, in an order of the day addressed to the Red Army and the Red Navy, said last night:—

of the 1st White Russian front, led by Marshal Zhukov, in cooperation with the troops of the 1st Ukrainian front, led by Marshal Konev, to-day, after a series of street battles, completed the rout of the German forces in the Berlin garrison and captured the city.


...the capital of Germany, the centre of German imperialism, and the hearth of aggression.



**RUGGED COUNTRY**

As troops of the Seventh Army press deeper into the Austrian alps they are meeting increasing resistance in rugged country that readily

gives rise to denance by relatively few civilians. In the Fern pass (due south-west of Füssen) a good deal of mortar and bazooka fire is being encountered. By Americans who crossed the frontier farther east are 10 miles north-west of Innsbruck. More important, only four miles from the war-torn border the



French forces in their fighting operations have made short work of their assault on the island of Oléron, where the commander of the German garrison has surrendered. In their

... Colonel-General Malinin, fluctuating attack in the Maritime Alps they hold a line running northfrom Veninigla to a point about 25 miles south-west of Cuneo.

the German grouping surrounded  
of Berlin.

April 24 and May 2 troops of these  
took more than 120,000 German

rd order of the day, addressed

**FIRST ROAD CONVOYS  
ARRIVE**

CANADIAN FIRST ARMY 144 7 - Ennd

Kokosovsky and his Chief of Staff, Lieutenant-General Bogolyubov, said:—

"If the 2nd White Russian Front, in its offensive, to-day captured the stock and Warmenweide, prisoners and foodstuffs would be sent to the starving Dutch population begin to move into German-occupied Holland on schedule in 1942 in accordance with the agreement reached with the German commanders; by which food will be sent to the Dutch by sea, land, and air."

The first road lorries were unloaded by the Dutch, who are also handling the distribution inside Holland with vehicles supplied by the allies. The food was carried across on train to land between the Canadian and German lines in several hundred lorries given by Canadian and British drivers.

It was planned to take 100 tons of food to an unloading depot before road movement ceased for the day at 3 p.m. More food was also dropped by air to-day.-*Reuter.*

THE BALTIC

---

PORTS ENTERED

A SPECIAL CORRESPONDENT

WEST GERMANY, MAY 2  
ish 6th Airborne Division  
coast of the Baltic Sea at  
north of Schwerin, to-day,

They were met at the airport by the civil governor, Señor Correa, who is said to have acted on telephoned instructions from the Foreign Minister.

and deepened, apart from these  
ests of advance, by many miles  
length. Another finger pushed  
United States infantry earlier  
toed into Schwerin, while earlier  
infantry, advancing between our

## THE QUEEN AT ALBERT HALL

series of advances surrendered to or even no opposition, and being asked in Field-Marshal army group is where the German. One suggestion is that they go further eastward to meet the not many miles distant from

advance to-day has been made by airborne men, who since the war have emulated their device of

**RANGOON**

A special announcement from SEAC headquarters yesterday sized:—

Following a landing yesterday (Thursday) by

**DENMARK**

---

**MOVING NORTH**

**SPECIAL CORRESPONDENT**

S.E.A.C. paratroops, our forces landed early this morning from H.M. ships south of Rangoon on both banks of the Rangoon River.

---

**CUT IN U.S. SUPPLIES**




WASHINGTON, May 2.—President Truman, in a letter to Congress to-day, asked for a reduction of \$1,750,000.00 in contract appropriation and contract authorization for

"The favourable progress of the war," he stated, "indicates that there is no necessity at present for proceeding with the construction of the additional tonnage contemplated at the time the current appropriation and contract authorization were made."


**OBITUARY**

We announce with regret the death of

12ge  
dream  
with moon



Paradov





# V2 genius whose dream came true with moon launch

By MICHAEL EVANS, DEFENCE CORRESPONDENT

THE American soldiers who accepted the surrender of a young German scientist on May 2, 1945, could have had no inkling that their prisoner would become the key figure behind the United States mission to the moon.

Wernher von Braun, inventor of the V2 rocket that caused such devastation in Britain in 1944, was about to transfer his loyalties from Hitler to the Americans so that he could continue with his obsession to explore the universe.

The man who became a legend in the space business offered himself as a human trophy of war to the Americans because he did not want to hand over his immense knowledge of pioneering rocket engineering technology to the Russians.

Von Braun, who died of cancer in 1977, was 33 and technical director of the liquid fuel rocket and guided missile centre at Peenemünde when German resistance collapsed and victory for the Allies approached.

The brilliant scientist loaded his team into lorries, along with his rocket secrets, and headed for the American lines. On May 2, with his brother Magnus, von Braun surrendered to the 44th Infantry Division of the US Army. He was finally smuggled out of Germany by the Americans as part of a secret mission codenamed Operation Paperclip.

An article in *Nature* magazine earlier this year disclosed that he was a senior SS officer who used to order executions.



Eisenhower: medal ceremony

Holger Tofroy, to seize as much of the German equipment as possible. From Germany it was removed to Antwerp and then by ship to New Orleans.

The US Army occupied Nordhausen on April 10, 1945. The first convoy left on May 22 and the last on May 31, the day before Soviet forces arrived.

Von Braun said of his decision to go over to the Americans: "We knew we had something of tremendous potential at Peenemünde. We had put together something that was far more than a weapon of war. It was the beginning of something that could really carry people to the stars."

British scientists were also eager to talk to him and in August 1945 he was flown to London, where he spent two weeks. He and some other German rocket scientists were billeted at an Army camp near Wimbledon, southwest London, where they were picked up daily and driven by an air force intelligence officer to the Ministry of Supply.

Von Braun said: "I must admit I thought the British might be unfriendly to me. But I found I was wrong the first day I spent at the ministry."

The Russians, too, acquired German specialists and V2 equipment and, like the Americans, began their space research programme by developing work that had been started in Nazi Germany.

In autumn 1945, von Braun and about 120 of his engineers signed contracts for six months of consultancy work with the US Army and set up at Fort Bliss in Texas, where he was project director of guided missile development.

Von Braun became an American citizen. His work led to the construction of the Jupiter, America's first intercontinental ballistic missile and launch vehicle for the first US satellite, Explorer, and finally to the giant rocket Saturn 5, which on July 16, 1969, launched Apollo 11 that landed the first man on the moon.

Von Braun never had any difficulty in switching loyalties from the Nazi regime to his country's enemy. His sole purpose in life was to develop his rockets to send to the moon and other planets.

He said: "I was solely interested in the exploration of space and the German Army could provide the means. The moral dilemma of a scientist who makes rockets doesn't exist. You might as well say a man who makes airplanes has a dilemma. It is basically a means of transportation but you can stick a bomb in the nose and drop it on someone's head. A rocket isn't any different."

However, he admitted he was fully aware that his V2 rockets would be used against Britain. After the war he said that when the first V2 hit London he remembered thinking: "It's a success but it has landed on the wrong planet."

On January 20, 1959, President Eisenhower, bestowed on von Braun the Distinguished Federal Service Medal.



Above: von Braun and his brother Magnus in 1945. Below: in 1958, the US Army's chief missile scientist.



## Church services to dances: time to remember

### Royal Family leads the celebrations



THIS is a selection of the thousands of events taking place around the country to commemorate and celebrate the 50th anniversary of victory in Europe.

#### LONDON

London — May 6-8: Queen Elizabeth, the Queen Mother and Princess Margaret open three-day festival in Hyde Park, 11.30am. Waterways Festival, Little Venice, W6, 10 am-6pm.

May 6: Bunbury Victory Cricket Match, featuring celebrities and leading players. Foster's Oval, 1pm; the Queen, Royal Family and Prime Minister host banquet for visiting heads of state, Guildhall, 7.15pm; Royal British Legion choir concert, Hyde Park, 8.40pm.

May 7: the Queen, Royal Family and heads of state at service of celebration of peace, St Paul's Cathedral, 11am (invitation only); Queen hosts lunch at Buckingham Palace for heads of state, 12.45pm; Peace in Europe parade and service, Ealing Common, 1pm; the Queen, Royal Family and heads of state at ceremony in Hyde Park, 3pm; Prince Edward at youth reception, Hyde Park, 4.45pm; *Pathe News* Gaiety National Symphony Orchestra, Royal Albert Hall, 7.30pm.

May 8: Public concert in forecourt of Buckingham Palace. *Hymns of Second World War* aircraft, 12.30pm; *Workers' Playtime* concert, Hyde Park, 2pm; 1940s: *We'll Meet Again* show, Queens Theatre, Hornchurch, 7.30pm; Princess of Wales at Red Cross concert, Albert Hall (invitation only); VE Night party, Hyde Park, concert and fireworks, lighting of more than 1,000 beacons, 8.40pm.

May 6-8: Victory in Europe

#### MIDLANDS AND EAST-ANGLIA

gala, Gloucester/ Warwickshire Steam Railway, Taddington, Gloucestershire, 10am-6pm.

Gainsborough Town Festival and VE-Day Celebration, Lincolnshire.

May 7: VE aircraft and vehicle display, Biggleswade, Bedfordshire; VE-Day Parade and Service, Bury St Edmunds, Suffolk; "We'll Meet Again" musical, Theatre Royal, Norwich, 5pm and 8pm; Parade and Drumhead Ceremony, Leamington Spa, Warwickshire; Royal Air Force Benevolent Fund Victory Concert, Symphony Hall, Birmingham.

May 8: VE-Day market, Northampton, opens 10am; Liberation Lunch, wartime menu, music and songs.



Showing the flag: a model wearing a "Victory dress" made from a fabric of Union Jacks to mark the Forties fashion show at the Imperial War Museum tomorrow

Evington House, Leicester, 12pm; "Glory Days", Blists Hill Open Air Museum, Telford, Shropshire; VE Celebrations, Harlow Town Park, Essex; First of four air shows, Imperial War Museum, Duxford, Cambridge.

May 6-8: "Brylcreem, Bullets and Bunting", Portsmouth Historic Ships, Hampshire; VE-Day celebrations, Sandy Bails Estate, New Forest, Hampshire.

May 6: VE-Day celebrations, Larkhill, Wiltshire; VE-Day fete, Bicest, Oxfordshire; Victory in Europe Commemoration, Bicest, Oxfordshire; Cathedral Service and Parade, Chichester, West Sussex; Festival of

Family Fun, Madeira Drive, Brighton, West Sussex, including Red Arrows display 3pm and fireworks 9.30pm; VE-Day celebration, Wenden, Buckinghamshire; Royal British Legion Band concert, Brixham, Devon; Glenn Miller (UK) Orchestra, Weymouth Pavilion, Dorset, 7.30pm; VE 50 Celebration Spectacular, Guildhall Square, Portsmouth, Hampshire; Big Band concert, Christchurch, Dorset, 7.30pm.

May 7: parade and service of thanksgiving, Guildhall Square and Cathedral, Portsmouth; Benjamin Britten's *War Requiem*, Mayflower Theatre, Southampton; service and Parade, Sherborne, Dorset; parade and service of commemoration, Bridport, Dorset; parade and open air

commemorative service, Maidstone, Kent; Max Bygraves in concert, Weymouth Pavilion, Dorset.

May 7-8: Memories of VE-Day, Newhaven Fort

May 6-8: VE wartime weekend, North Yorkshire Moors Railway, Pickering.

May 6: Band concert, Liverpool Cathedral; VE concert, Blackpool.

May 7: Civic Service, Ripon Cathedral, North Yorkshire; VE-Day Horse Parade, Bradford, West Yorkshire; Drumhead Service, Richmond Town Centre, North Yorkshire; VE Service, Liverpool Cathedral; Firework display, Southport, Merseyside; VE-Day celebration, Chester.

May 8: Historic ships display, Birkenhead, Merseyside; Copmanthorpe Street Fair, York, 12pm; Commemorative service, York Minster, followed by parade through city, 3pm; Bolton Gala, Harrogate.

#### WALES

May 6-8: Langollen choral festival, Clwyd; Festiniog Railway Steam Gala, Portmadoc, Gwynedd.

May 7: VE-Day parade, Llandudno; Open air gala concert, BBC Welsh Symphony Orchestra, Cardiff; VE-Day commemoration concert, Newport, Gwent.

May 8: Service of celebration, Llandaff Cathedral, Cardiff, attended by the Prince of Wales; VE-Day concert, Dyffryn Gardens, near Cardiff; VE-Day 50-year-on concert, St David's Hall, Cardiff; Concert and celebrations, Boddeynnan Castle, Clwyd; VE-Day celebrations, Tredegar House, Gwent.

#### NORTHERN IRELAND

May 6: Women's British Legion Benevolent Fund Concert, Bangor.

May 8: Wartime Antique Fair, Portlough; Military tattoo, and fireworks, Newtownards; Street market and entertainment, Carrickfergus; Big band concert, Ulster Hall, Belfast.

#### SCOTLAND

May 6-8: Military display, Ayr; VE-Day celebrations, Greenock.

May 7: Commemoration Service, Glasgow Cathedral, 11am; Commemorative service and march past, Elgin Cathedral, Morayshire, 3pm; Church service and parade, HMS Lindsfarne, Shetland Islands; Sunday in the Park, Stranraer; Church Service and civic reception, St Andrews; RAF Flypast, Lerwick, Inverness and Aberdeen.

May 8: Commemoration Service, St Giles Cathedral, Edinburgh, attended by the Princess Royal, 11am; Thanksgiving Service, the Old Parish Church, Inverness; Remembrance Parade, Dingwall, Orkney; VE-Day commemorative concert, Kilmuir, Tayside; Service at war memorial and march to Loyal Scouts monument, Beaulieu.

On May 13 the biggest VE Day parade outside London will take place in Perth where some 500 massed pipes and drums will lead a march and service in honour of the famous 51st Highland Division, which played a notable part in the war.

This is only a selection of events taking place during the anniversary year, many of which have already started. Further information may be obtained from the VE/VJ Day Hotline 0991 88 1945, from local tourist boards and from the VE/VJ Day tourist boards office 01703 620555. The ticket hotline for the Hyde Park concerts is 0181 204 1234.

## Paradoxical role played by the Irish is acknowledged at last

By JOHN YOUNG

ON MAY 2, 1945, Eamon de Valera, the Prime Minister of the Irish Free State, called on the senior German diplomat in Dublin to express his condolences on Hitler's death. It was a singularly insensitive and unnecessary gesture; de Valera may have been determined to emphasise his country's neutrality throughout the war but that war was now effectively over, the enormity of Hitler's crimes had been exposed and it is not hard to imagine the reaction of the 150,000 Irishmen who had fought for Britain.

Last week their actions were formally acknowledged by John Bruton, the Irish Prime Minister, in the company of Sir Patrick Mayhew, the Northern Ireland

Secretary, and loyalist and republican representatives.

It was a reminder that the history of Ireland between 1939 and 1945 is riddled with paradoxes. The men and women who joined the British forces from both sides of the border — in roughly equal numbers — were volunteers, since the Government had fought shy of introducing conscription in Ulster for fear of provoking the Catholic members of the population.

Consequently, the only country in the Empire that did not ally itself with Britain paradoxically sent more troops voluntarily to war than any other. Whole regiments were composed almost exclusively of Irish troops.

The story of de Valera's refusal to allow British convoy escorts the use of Irish

ports in return for an undertaking by Churchill to end partition is well known.

What is less well known is that in the summer of 1940 Hitler was preparing for an invasion of Ireland, in which case Irish neutrality, with or without America's guarantee which de Valera requested, would have meant no more than the similar protestations made by Denmark, Belgium and all the other European countries that Hitler annexed in 1939.

The denial of the Irish ports also ignored the fact that the Free State was as dependent on the convoys as was Britain, and that German U-boats neither could nor did take any account of a ship's destination when selecting their targets.

De Valera's hardline anti-British views were far from unanimously shared by his compatriots. The late John Bejerman, who

spent part of the war working for the British Embassy in Dublin, found no shortage of admirers of Britain who deplored the presence in the city of Axis diplomats and agents.

To put things in perspective, however, it should be said that many of the thousands who travelled to Belfast to enlist did so simply because they were unemployed and broke. One such was John Martin, now 70, who, threatened with the sack from his job in a Dublin laundry, joined the Royal Ulster Rifles in 1941.

He took part in the D-Day landings, in the capture of Caen, the battle of Falaise and the advance into Germany. "I was in Bremen when we heard the war was over, so I made an Irish tricolour and ran it up the flagpole. The platoon commander went mad and said take that bloody thing

down. I said over my dead body. We Irishmen fought and died as well as the rest of you."

One of the more bizarre features of wartime Ireland was a prisoner-of-war camp at The Curragh, in Co Kildare, a great open heathland which in earlier days had housed the main British garrison. Between 1940 and 1945 Germans and British — mostly shipwrecked sailors and airmen who had been forced to "ditch" — were housed side by side, fed well and given free tickets to the nearby racecourse, home of the Irish Derby. Many of them fraternised and a fair number escaped, an easier task for the British who were more likely to find assistance from sympathetic locals and who had to make their way only some 70 miles to the border.



De Valera: unnecessarily insensitive

Thousands of ex-Servicemen are still paying a high price for their country.

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# Britain resists US pressure to join trade ban on Iran

By MICHAEL BINYON AND IAN BRODIE IN WASHINGTON

BRITAIN has come under strong pressure to join the American embargo on trade and investment with Iran, but has refused to do so. Moreover, British industry is ready to pick up the Iranian orders made available by the ban.

British officials said yesterday that since the Edinburgh European Union summit in 1992, Britain and its European Union partners had had a "critical dialogue" with Tehran. This included frank exchanges on Iranian support for terrorism, human rights and the death sentence against Salman Rushdie, the author. There were, however, no plans for a trade embargo.

President Clinton's decision to go ahead with the ban, as punishment for Tehran's sponsorship of terrorism and its decision to buy at least two nuclear reactors from Russia, was reached only after a furious debate within the Administration. The President's

next challenge will be to persuade sceptical allies to impose similar sanctions and for Russia to cancel the nuclear deal. Neither prospect appears likely.

Mr Clinton agreed only late on Friday to halt all commerce with Iran and his decision was announced shortly before his speech to the World Jewish Congress on Sunday in New York. His officials were scrambling to explain the implications yesterday.

The Commerce, Energy and Treasury Departments resisted a ban on oil purchases and other trade, arguing that Europe and Japan would continue business as usual and the only losers would be American corporations. Officials at the Pentagon and the National Security Council were concerned that any attempt to increase Iran's isolation would make the militant mullahs even more opposed to Israel and America. Warren

Christopher, the US Secretary of State, and the pro-Israel lobby, pushed for an immediate crackdown. Their sense of urgency was accelerated by domestic politics; Republicans in Congress were threatening a secondary boycott that would bar any foreign company doing business with Iran from trading with American firms.

By acting now, Mr Clinton has set the stage for conflict at his summit with President Yeltsin in Moscow next week.

Iran has shrugged off America's unilateral ban, insisting that the "disgraceful" decision would harm only American firms because other trading partners were eager to take over the contracts. Privately, Iranian officials expressed fears that the American drive to choke their economy could be followed by military action. They said obvious targets would be the nuclear reactors Iran is buying.



Yitzhak Rabin, the Israeli Prime Minister, during his tourist visit to Petra yesterday. He was met in the ancient city by many other Israeli visitors

## Ecstatic Rabin joins tourist throng in Petra

FROM CHRISTOPHER WALKER IN PETRA

KING HUSAIN of Jordan defied growing domestic and pan-Arab attacks on his eight-month-old peace with Israel by hosting a unique joint television programme yesterday with Yitzhak Rabin, the Israeli Prime Minister. It is due to be screened this week as the highlight of celebrations to mark the forty-seventh anniversary of the founding of Israel.

As the Arab League was preparing to condemn Mr Rabin for planning to seize more than 100 acres of Palestinian land in Jerusalem, he was being cheered by Israeli tourists who are now thronging to the Nabatean ruins in Petra.

Since the peace treaty was signed on October 26, 11 per cent of all tourists visiting Jordan have been Israelis. The country had been barred to them for 46 years during which the two nations were in a state of war.

Fifty journalists from Tel Aviv flew in yesterday came on board the first civilian flight between Israel and Jordan, codenamed IZ-200.

After a two-hour tour of Petra, Mr Rabin flew in an Israeli military helicopter over the rugged route south to the Red Sea port of Aqaba, where he met the King. Pledges to even closer Israeli-Jordanian co-operation were filmed by Israeli television at the seafront Royal Palace.

The day of mutual Israeli-Jordanian congratulation, criticised by Mr Rabin's political enemies on the Israeli Right as the opening shot in the campaign for next year's general election, was also designed to deliver a crushing response to those who want the treaty to remain no more than a peace of paper.

It came less than a week after the King ordered his security services to ban a large anti-peace conference organised by Islamic opponents in Amman, the capital. The cementing of ties was also a snub to the 80,000 members of 12 Jordanian professional associations, ranging from dentists to engineers, who have prohibited any contact with Israelis.

Ultra-loyal Bedouin troops in red checkered keffiyehs and armed with jeep-mounted heavy machineguns, had guarded every corner of the towering stone ruins in Petra as Mr Rabin, 73, and his wife, Leah, strode through territory that has a special significance for Israelis. In the early years of the Jewish state, many Israelis risked death trying to visit the enchanting ancient city.

"It is more than a dream come true," Mrs Rabin said as she walked through a crowd of tourists and journalists

which provided a security problem for Israeli and Arab plainclothes men. "It is interesting how quickly things have normalised," she said. "I feel grateful to have lived to this moment, and to have been married to a man who helped to bring it about."

Her casually dressed husband was equally moved. "For me it is the first time in Petra and I don't think words can express the beauty you see," the former Israeli Chief of Staff said.

Jamal Halaby, a Jordanian journalist, noted the courage of King Husain in encouraging the visit at a time when Israel is being criticised for its land policies in Jerusalem and for delays in implementing its peace deal with the Palestinians.

"This visit will not play well with the lower and middle classes in Amman," Mr Hal-

### Police guards caught asleep

Tel Aviv: Border police guards who protected the Tel Aviv home of Yitzhak Rabin, the Prime Minister, have been found asleep on duty. The unit is commanded by Meir Tayar, who was security chief at the Tomb of the Patriarchs in Hebron when a Jewish settler killed 29 Muslims in February last year.

Junior guards have complained that Mr Tayar was working them too hard. A spokesman said duty hours had already been changed. Several men under Mr Tayar's command were asleep while on duty on the morning of the Hebron massacre. (AFP)

aby said as the Israeli delegation, in a variety of sun hats, gazed up at the archaeological splendours so long denied to them. Hotels sprouting up on the rocky land around Petra bore witness to how tourism is boosting the local economy: one coffee house is already renamed Peace Café.

Mr Halaby said that the discontent of some Jordanians with the peace treaty would increase because of the latest land scandal in annexed east Jerusalem, which has led the Palestine Liberation Organisation to threaten to resume the intifada.

Jerusalem: Sinal Kahat, a member of the central committee of the right-wing Likud Party, met Yassir Arafat, the PLO chairman, yesterday in the Gaza Strip and called for dialogue and acceptance of Palestinian self-rule.

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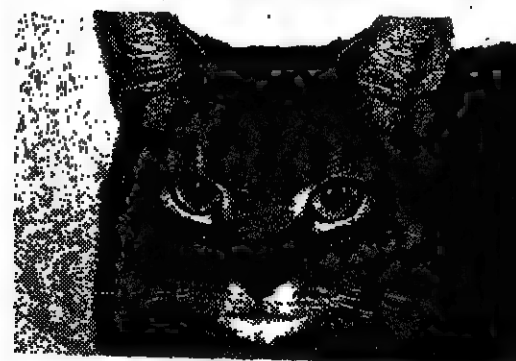
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Crowd of 10,000 hail National Front leader at pre-poll Joan of Arc rally

# Vitriolic Le Pen refuses to endorse Chirac or Jospin

FROM CHARLES BREMNER IN PARIS

**BASKING** in rare limelight, Jean-Marie Le Pen, the champion of the extreme right, blasted both presidential candidates as traitors and servants of foreign powers in a vitriolic speech yesterday to thousands of followers in central Paris.



As expected, the leader of the National Front, who acquired clout with 15 per cent of the vote in the first round of the French election, used his party's remembrance day rally for Joan of Arc to refuse endorsement for both Jacques Chirac, the Gaullist, and Lionel Jospin, the Socialist.

The choice was a "detestable one" between "two left-wing candidates of the foreign party", he boomed from a stage on the Place de l'Opera to a crowd of about 10,000 that seethed with tricolors and the fleur-de-lis of royal France. M Chirac in particular, had "betrayed his people, his nation and his faith" by approving the "ignoble Maastricht Treaty" and the "vile" Gatt world trade accord.

horseback, accompanied by ten mounted knights, symbolising France's struggle to rid itself of foreigners. Cheers went up when M Le Pen, the most magnetic of France's political orators, compared Joan's war against the English to the struggle against the "corrupt and decadent politicians" who were opening the doors to immigrants and "capitulating to the financial powers of the United States, Germany and Japan".

He compared Joan to Jesus Christ and cited her reply when asked by the church court if she liked the English. Cheering erupted when he quoted her: "J'aime les anglais - chez eux."



Le Pen campaigners take to the streets of Paris during the National Front's annual May Day rally yesterday

racism. No to the fascism of the FN." The mass of voters who voted for M Le Pen are expected to split their allegiance between M Chirac and M Jospin or to abstain on Sunday, M Le Pen, who is looking ahead to municipal elections next month, said he will take a personal decision after the debate, but he made clear that his old hatred for M Chirac burns strong. He de-

voted almost half his hour-long speech to venomous attacks on the conservative Gaullist, invoking the Bible and France's national heroes to damn the Gaullist chief. It would have escaped few that his line on the candidate representing "le parti de l'étranger" was first used by M Chirac himself in an attack on President Valéry Giscard d'Estaing in 1978.

M Chirac and M Jospin are busy appealing to Le Pen voters as straying lambs who voted for him out of despair over unemployment and France's social crisis. "I am convinced that many among National Front voters reject with all their strength a third Socialist presidency," M Chirac said at the weekend.

Jack Lang, a senior Socialist and former Culture Minister, said yesterday that the only proper home for the "protest vote" was with M Jospin. However, FN activists at yesterday's rally were in no mood yesterday to apologise for what the mainstream views as a sinister political force with roots that go back to the wartime collaboration and the quasi-Fascist groups of the 1930s. "Le Pen is our only hope of salvation," said one well dressed middle-aged woman marching with the contingent from Le Mans.

## Hutu bodies discovered in village

**Kigali:** The bodies of four more murdered Hutus have been found dumped in latrines in the southern Rwandan village of Huye, where 14 others were stoned and beaten to death at the weekend, the United Nations High Commissioner for Refugees reported yesterday. May Day demonstrators snatched on the agency's offices, as well as some foreign embassies, to denounce the UN. (Reuters)

## Street battles

**Berlin:** About 2,000 leftwingers fought May Day street battles with police in Berlin. A police spokesman said 72 officers were injured and 36 people were arrested. (Reuters)

## Name changed

**Bombay:** India's financial capital, Bombay, officially adopted its native name, Mumbai, but federal offices and some newspapers refuse to use the new name. (AFP)

## Assault row

**Wellington:** New Zealand has complained to Indonesia about Joop Ave, its Tourism Minister, who is alleged to have sexually assaulted an Auckland waiter. (AP)

## Blow to men

**Saint-Claude:** A Belgian woman tobaccoist won this French town's pipe-smoking contest, keeping her briar alight for 2hr 10min and annoying male rivals. (AFP)

## Sri Lanka bombers hit rebels in Jaffna

BY CHRISTOPHER THOMAS SOUTH ASIA CORRESPONDENT

**SRI LANKAN** Air Force bombers attacked rebel positions in the northern Jaffna peninsula yesterday and the Government, fearing terrorist attacks, cancelled its traditional May Day parade in Colombo, the capital. After a 100-day ceasefire and intensive but fruitless peace negotiations, the 12-year war is back in full spate.

A nationwide alert has been ordered by security forces, about 100 of whom died in surface-to-missile attacks on two air force planes on Friday and Saturday. It is the first time the Tamil Tigers, who are fighting for a separate homeland, have used missiles.

The use of helicopters and transport planes will now have to be restricted, disrupting the resupply of troops in combat zones. The two planes were downed near Palaly airbase in Jaffna, a beleaguered fortress that the Tigers are determined to overrun. The rebels recently attacked navy boats in Trincomalee.

□ **Delhi:** President Bandaranaike Kumaratunga of Sri Lanka has accused Vellupillai Prabhakaran, the Tamil rebel leader, of having ordered the killing of the former Indian Prime Minister Rajiv Gandhi. (AP)

## Peking battle for power provokes second 'suicide'

FROM JONATHAN MIRSKY IN HONG KONG

**THE** May Day holiday brought no joy yesterday for China's Communist Party with the leadership power struggle bringing a suicide and another arrest.

The latest suicide, after that on April 4 of Wang Baosen, Peking's Deputy Mayor — who might, in fact, have been murdered — is that of Liu Zhongwei, a retired central committee member. His wife was executed in January for embezzlement and fraud.

Liu, who leapt from a window in Peking, appears to have killed himself a few weeks ago at about the time that Wei Jianxing, the new Peking party secretary, was giving a speech on corruption in Guizhou province, in south-western China.

Guizhou, one of China's poorest areas, was where Liu's wife had been a member of an international trust and investment corporation. Liu had been party boss of Guizhou before his transfer to the party's work committee in Peking. The investigation of his wife began just after his transfer.

The political upheaval is a sign that the era that will follow the death of Deng Xiaoping, the paramount leader, will not be one of political relaxation. Newspa-

pers in the capital are calling for everybody to "uphold resolutely the authority of the party central committee, safeguard the implementation of its decrees, and obey and serve the whole party and Government. This is a call to accept government and party discipline."

The absence of factual information and the chorus of demands for obedience are signs of traditional party purges. The targeting of the Peking hierarchy by men who are mostly Shanghai-based is also familiar.

The second shock in Peking yesterday was the confirmation of the arrest of Chen Xitong, the capital's deposed Communist Party boss. His detention had been reported ten days ago and he has been absent from his job as president of Peking's luxurious New Century Hotel.

Young Chen is the second "Red Prince", the son of a high official, to be arrested recently on corruption charges. In February, Zhou Beifang, a tycoon with interests in Hong Kong, was arrested for embezzlement in Peking, a day before the resignation of his father, Zhou Guowu, as head of the capital's Shougang steelworks and an old comrade of Mr Deng.

## Sylvie Guillem has a way of dancing around tradition.

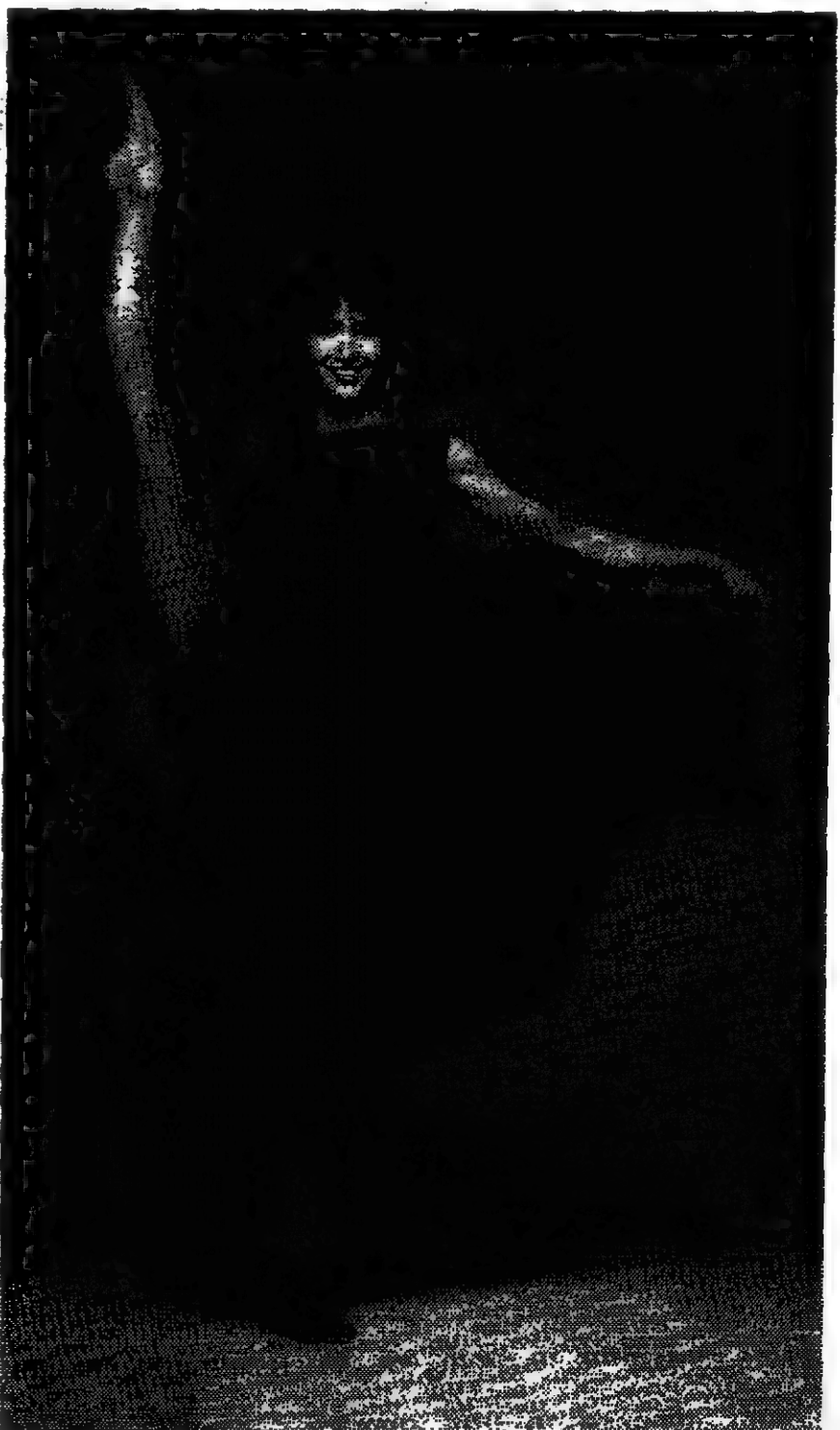
Her suppleness is legendary. Her command over those incredibly long limbs means that

Guillem frequently finds herself in conflict with the traditions and rules of classical ballet.

every performance evokes gasps from audiences around the world.

However, Sylvie Guillem is the first to point out that the exceptionally lithe body with which she has been gifted is a blessing in disguise: "You must work on this gift so that it does not become a defect."

That is why she constantly strives to push her performances beyond technique pure and



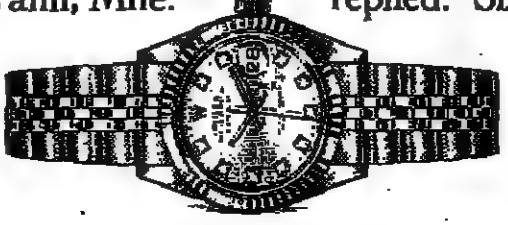
simple. "After that, you work on something else: how to express things. I want people to remember me as a dancer who tells a story with her body." In pursuit of this aim, Mlle.

ability. The photographer paused for a moment to enquire what this ballet position is called.

With a smile, Mlle. Guillem replied: "Six o'clock. Precisely."



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## VE DAY MESSAGES

The Times will be carrying a series of facsimile pages from 50 years ago each day between May 1 and May 8 to mark the end of the war in Europe. Readers who wish to contact old friends or comrades or to send a personal message in a special classified advertising section may do so free of charge, in no more than 16 words by returning the attached coupon. Space availability is limited so messages will be published on a first come, first served basis on May 8.

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**THE TIMES**











## The social blight which is the Internet

It is not what is said on the Net which is boring so much as what is endlessly said about it

What I know about the Internet could be written in longhand on one side of the most microscopic microchip. But I did rather think that the whole deal about it was that what was uttered on the Net could not be reproduced outside of its notional confines.

The principle should have been something between "In space no-one can hear you scream" and "Honour among dweebs". But it now appears that this voluntary self-regulation is as virtual as the writing on the screen: Stephen Fry has been graced on by a pair of brothers in South Glamorgan, and his secret cyberchat publicised.

Leaving aside the ethical matter raised here, there is another, wider-reaching problem: the tedium factor. It's not what is said on the Internet that bores me, but what is said about it. I can't think of a time I've been out in the past year or so without some large part of the conversation being given over to the Internet, mir- acles of, multiple uses for, vital urgen- cy of. It has become more than a bore, it has become a social blight.

I realise I suffer more than most. Linked by some- thing greater than a computer cable to the writer of this paper's *Enter Password* column, I am fated to hear incessant breathless item- isations of the wonders of the Net. We cannot go out without people seizing the opportunity to get the low-down on the high-tech. And I'm afraid emine- nce is no safeguard: the most distinguished writers in the land have lists of questions they wish him to answer. The most fascinating people are turned into train-spotters. I say people, but I mean men: women lack the passion for forming relationships that are based on no personal input whatsoever.

It wouldn't matter so much if it were at least possible to have a conversation about the Internet. There is a form of catechistic question and answer which pretends to pass for lively chat, but isn't. Just as jokes are a poor substitute for wit, so juggling with numbers, reeling off facts and throwing up Strange but True informa- tion is scarcely intelligent talk. Just to stifle further revela- tions, I might be prepared to concede that it is absolutely mindbogglingly great that on

the Internet I can find out what some Canadian microbi- ologist had for breakfast this morning in Winnipeg. But what usefully can be added after such intelligence has been offered? OK, so the possibilities for research are enormous. Terrific that I can look into any database of any library in any university in the world.

But you would think it pretty strange if I sat down next to you at dinner, having just got back from a trip around the world, and gave you the geographic details of my fact-gathering itinerary from Bombay University to the reference library in Har- vard Business School, taking in chats along the way in the senior common room of Oriel College, Oxford, and with a professor at the Sorbonne.

Now, if I were telling you about my research itself you might be more interested. You might get the point of the conversation. Just telling you

my route would appear eccentric. But that is what Internet-lyricists do. They regale you with the fact that they've been surfing across continents, waving to ear, nose and throat special- ists here, to Latin scholars there, to Whitehouse officials and to Bosnian war correspondents — and all without taking a step out of their own sitting room.

The way most people go on about the Internet is about as much to the point as hearing a television critic give a short history of the cathode-ray tube. But because everyone's so frightened of not being at one with the age of informa- tion technology, there is little dissent.

Computerspeak is deemed the language of the young and hip, so no wonder the middle-aged are lining up to learn how to get their tongues round it. To show ignorance is to show age. So broach the subject of the Internet and a whole dinner table is turned instantly into an embarrassment of teacher's pets, all frenziedly putting their hands up and clamour- ing to ask a praiseworthy intelligent question.

If the most anyone can tell me about doing something is the astonishing fact that it could be done, then I am just not interested. More: it defines the very fact that it is not itself of interest.



NIGELLA LAWSON

A breed of career-minded Conservative wife has evolved, Alice Thomson says



Left, Peter Lilley and his wife, Gail. Mrs Lilley is a painter. Right, Michael Portillo and his wife, Carolyn, a businesswoman earning five times more than him

## The wives every rising Tory needs

In the 19th-century days of Trollope's *Phineas Finn*, a young man of little means intent on becoming a successful Tory MP would have been advised to find himself a rich wife who could support him while he worked the fashionable drawing rooms on his way to the dispatch box. A title was useful for respectability, and a father who could hand over a rotten borough was even better.

Disraeli did it, as did Sir Winston Churchill's father, Randolph. Even at the turn of the century, MPs often relied on their wife's dowry to see them off the backbenches.

However, in 1911 MPs were given salaries, tenants refused to vote as their landlords expected, and the role of the politician's wife began to change. Now a Tory wife is no longer expected to be a finan- cial and social rock, but a woman who can charm the local constituency with her jam-making skills, drive a large Volvo, preferably crammed with children so he can emphasise his family cred- entials, canvass parents at pony clubs, and whisk up a soufflé for the Rotary supper.

Instead of looting around in tiaras, MPs' wives were ex- pected to traipse the streets stuffing letters through doors, ferry old ladies to the courts, help out at Girl Guides and open the letters. He liked to say they worked as a team, but she often looked exhausted — the punchbag for the constitu- ency, the children and the London secretary.

She lived in their house in the sticks, bringing up the children single-handed, going to bed with the dog and a

cheese sandwich, seeing her husband only on *Newsnight* or, worse, splashed across the tabloids. When she was with him she had to share him with official papers, with a few first nights at the opera as compensation.

Aspiring Tory candidates have been finding it harder and harder to find someone to walk down the aisle, let alone get a seat. A new three-part drama next week called *The Politician's Wife* on Channel Four will paint an even bleaker picture of a self-effacing Tory minister's wife being forced to stand by her philandering husband.

But in these darkest days of Tory wifehood a new breed has slowly evolved, who might actually save the species. The perfect political wife now has a career, not working for hubby in the Commons but some- thing which often means that she earns more than her husband's basic salary of £39,000. She wouldn't know how to make chicken curry for local functions and wouldn't be seen dead in washing-up gloves after the local fête.

But with her substantial salary, in true Trollope style, she is able to support her husband financially as he works his way up the greasy



Stephen Dorrell's wife Penelope has a clothing business

pole. With MPs being forced to register their every coffee and ginger biscuit and all those problems at Lloyd's, more and more Tories are struggling. Many are now career politi- cians with nothing to fall back on. They may say they want their wife at home but many

are beginning to think that buying her a briefcase might be more sensible.

The new wife suits the ambitious MP perfectly. She feels less guilty about hiring cleaners, gardeners or interior designers. She can take her husband on business trips

without having to declare it, he can swill champagne without worrying and she goes down brilliantly at parties.

They can afford a house in London so she can keep an eye on him every night if she is not busy. She has no qualms about regularly replenishing her wardrobe because she needs it for her job, and is only likely to wear a twinset because Gucci does them in such exotic colours.

When he lectures her on politics she can tell him he is speaking rubbish and she should know because she has just been briefed by a senior official at the Bundesbank. In turn she can get all the benefits of being married to a minister, good contacts and her hus- band's diary secretary to organise their social life.

Lady Archer, as a Cam- bridge don, was an early example of the independent wife. Half the members of the Cabinet have quietly got new women. Michael Portillo has married Carolyn, a senior director at Spencer Stuart, one of the world's top five recruit- ment agencies, who earns more than £250,000 a year. Peter Lilley's wife Gail had a career in the fashion industry before becoming a full-time painter.

Penelope Dorrell, wife of the National Heritage Secretary, sells children's clothes from their house in Worcester and is a partner in Faithful, a small, successful producer of protective clothing. William Waldegrave's wife, Caroline, co-owns Leith's School of Food and Wine.

With the departure last year of John Patten as Education Secretary, the Cabinet wives lost one of their highest earners in Louise, who earns a six-figure salary as a headhunter.

They understand that those daunting con- stituency ladies are quite capable of look- ing after their husbands, make much better chutney and like having a single man around occasionally to fuss over. The children usually benefit, al- though they probably know the nanny better.

Number Ten would be the perfect place from which to commute to work. But the career wife is unlikely to be devastated if her husband is demoted for allegedly swing- ing a pickaxe or having a love- child, or finds himself in Opposition without a penny.

Lady Neubert, wife of Sir Michael, the Tory MP for Romford since 1974, is a traditional Tory wife and runs Conservative Wives, which has 230 members. She wel- comes the change. "There used to be a mass of young women wanting to marry MPs. But nowadays young wives are going to start griping if they are expected to devote their lives to their husbands. Older MPs may frown upon the new- style wife but she could be our only chance."

## Time, gentlemen, please, for new drink laws

Peter Millar argues for later pub hours as MPs consider the idea

IT WAS gone 10.15 on a Sunday night down my Oxfordshire local when the folk band began playing encores. The locals looked beseechingly at the landlord and apprehen- sively at the time bell.

On this rare occasion, mine host did the decent thing: he broke the law. The curtains were pulled, the "open" sign taken in from the village green, the doors closed, but the time bell stayed silent.

When, by mutual consent, the musicians packed in and the locals headed happily home to bed, the annoyance was that we felt obliged to sneak into the night. Drinking alcohol in a pub "after hours" is still an offence, as is serving it; the landlord could have lost his licence.

The news that Michael For- syth at the Home Office is taking soundings about end- ing the 11pm weekday curfew — which in the eyes of visitors is as infamous a part of our island tradition as fog and

grey meat — is good cheer indeed. England and Wales are almost alone in the European Union in deliberately stifling the small pleasures of their citizens.

The Scots have seen the folly of turning out all the drunks in Glasgow into Sauchiehall Street simultaneously; even the Swedes and Finns have less draconian opening hours than we do. In Northern Ireland, which shares English laws but not English attitudes, landlords have long been free to apply for late-night licences most nights of the week. Most do, and rarely are they re- fused. It is a truism routinely, perversely turned on its head, that what pubs do is keep people off the streets.

There is no more depressing sight, for anyone with consid- eration for other people's en- joyment and an awareness of the importance of tourism to our invisible earnings, than groups of Americans or Ger- mans turned out onto the street



Before the First World War licensing laws were less rigid

at 11pm on a summer's evening. The tourist board sells them the pub as a unique English institution, but by the time they have had dinner and worked up a thirst, all that remains is a choice between a garish, over-charging night-club or an early night.

In most provincial German cities, the big beerhalls in the city centre will usually close at midnight, but there is always a welcoming corner bar closer to home open to lam or later. Nigel Evans, Conservative MP for Ribbles Valley and a member of the standing com- mittee which examined dereg- ulation of Sunday afternoon drinking, would like to see licensing hours extended to midnight by this summer. "A lot of these regulations were introduced at the time of the First World War to protect working in the munitions industries. Now we're celebrating the fiftieth anniversary of the end of the Second World War and they're still in force."

"If you don't have a closing time, it would lose its mys- tique. The police would wel- come it," says Mr Evans. That has been the Scottish experi- ence, with incidences of alco- hol-related crime falling since opening hours north of the border were made flexible.

Michael Fabricant, Conser- vative MP for Mid Stafford- shire, draws on experience from his own constituency: "Lichfield, like many places, is plagued by hordes of young people pouring out onto the streets all at once, often with beer bottles in their pockets. At worst two groups of lads from different pubs will start a fight; at best, older people feel intimidated. Police I've spoken

to believe things would be helped by the sort of staggered licensing hours which would evolve naturally."

But even with the best will in the world, which John Major's general enthusiasm for deregulation suggests he might well have, the chances of an extra hour's drinking time this summer are slight.

ACCORDING to Home Of- fice sources, any alteration would probably require legisla- tion on the floor of the House of Commons: "It has been the precedent that any change in licensing hours has to be submitted to the House for scrutiny. That was the case of the 1988 Act [which allowed weekday afternoon opening] and is the case with the current Sunday opening Bill."

Nonetheless, the fact that the Sunday legislation whizzed through the Commons in a matter of weeks and is now expected to pass the Lords before summer is an optimis- tic sign. With a bit of luck and a dollop of common sense, curfew could be over by Christmas. It really is time, gentlemen, please.

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When a Burma veteran's surgery was cancelled he fought on bravely with fatal consequence, Dr Thomas Stuttford says

## Swollen artery that beat a soldier

OLD soldier Stanley Nurse will not be celebrating VE day next week. He died after being sent home from King's Lynn Hospital when a lifesaving operation was cancelled because his body was needed for somebody else. Mr Nurse, who was 73, had had to wait for his operation for ten months although his surgeon had warned his wife that he might die at any minute from a rupture of an aneurysm of the aorta, a weakened swollen patch in the wall of the main artery leading from the heart.

Fighting in the Malaysian jungle as a Bren gunner seems an unlikely role for a rural painter and decorator, but Mr Nurse became a Territorial in the Royal Norfolk Regiment and served in the retreat from Malaysia before being

captured after the battle in the cemetery at Singapore. As a prisoner of war he worked on the notorious Burma railway before returning to England with recurrent malaria, beri-beri and hookworm.

A year or two ago Mr Nurse noticed that the backache which he had had for years changed in character and became worse; he also had a fullness in his abdomen, but unlike many patients with an aneurysm of the abdominal aorta didn't describe it as pain, but merely said that it was difficult for him to eat very much at any one time. He also noticed

that his feet were often so cold that they felt dead. On examination doctors discovered that he had an aneurysm which was described by his surgeon to Mrs Nurse as being the size of an orange, more exactly by the pathologist at the inquest as being 9cm by 6cm by 4cm. When a patch of arterial wall weakens the artery expands, just as a weakened bicycle inner tube expands before it bursts. The degree of expansion determines the likelihood of rupture.



Rupture is less likely if the diameter of the expanded aorta is less than 4cm, dangerously common if it is more than 6cm. Surgery is usually recommended for anybody there where whose aorta is within the range 4-6cm for at this stage the death rate in the best hospitals is no more than 2 per cent. Delay can be dangerous: once the aorta has ruptured the mortality during surgery is well over 50 per cent. Stanley Nurse's symptoms of abdominal discomfort, backache, a pulsating swelling in the abdomen and interference with the blood supply to the feet are typical of abdominal aortic aneurysms.

Aneurysms which affect the aorta as the blood flows through the chest — about a quarter of the total — can also cause backache, breathlessness, cough, a hoarse voice and difficulty in swallowing. Nobody knows the symptoms which Mr Nurse experienced immediately before his death; he died suddenly one night in his sitting-room chair. Usually when the aorta ruptures the patient

complains of a sudden increase in abdominal pain, or chest pain if the aneurysm is affecting the thoracic aorta, and back pain. As the internal bleeding from the aorta continues the blood pressure falls and consciousness is lost.

Many aneurysms are symptom-free and the importance of aortic ultrasound as a means of diagnosing these comparatively small aneurysms is becoming accepted.

Patients with a family history of aneurysm who are over 50 and hypertensive, particularly if they are male, or have had a leg amputated, need regular examinations. Surgery, involving replacement of the damaged stretch of aorta with a synthetic substitute, can be undertaken when the risk is low.

## How children are damaged by divorce

When parents split up, they leave lasting emotional scars on their children. Ian Robertson reports

What happens to your children if you or your partner dies? It's the kind of thought which goes through the minds of most parents now, and again. As a parent you have probably taken out life insurance with such a possibility in mind. From time to time you have worried about the effect on your child — emotionally, socially and financially — of losing you or your spouse. You know that children above a certain age never forget the death of a mother or father, and you appreciate that this may affect them for the rest of their lives.

But have you thought about what will happen to your children if you divorce or separate? You won't have taken out any insurance against this and you probably haven't thought about it as much as you have about the possibility of dying. This is a pity, because children are damaged much more by divorce than they are by parental death.

As many as one in three children in Britain will endure the consequences of parental divorce or separation; you can't get precise figures because almost a third of children are now born outside marriage and split-ups in these families are not officially recorded. If it is indeed true that boys and girls whose parents split up on average suffer more permanent damage than those whose mother or father dies, then this makes family breakdown one of the great unrecognised social health problems of our time. What is the evidence?

Dr Martin Richards, who runs the Centre for Family Research at Cambridge University, is an expert on divorce. He and his colleagues have studied 17,000 children from the National Child Development Survey who were born in Britain during one week in 1958 and were followed up at the ages of 7, 11, 16 and 23.

Dr Richards and his team looked at what happened to these children as they matured into adolescence and adulthood, comparing the children whose mother or father had died with those whose parents



The film *Kramer vs Kramer* dramatised the bitter struggle for custody of a child.

had split up, in terms of education, career, health and wealth.

Although the harmful effects of divorce are apparent across all social classes, the effects on middle-class children are striking: middle-class girls were the group most damaged by divorce by the time they reached adulthood.

While the death of a mother or father before a child is 16

does have some effect on a child's life, divorce does far more damage. And if we examine, on average, the fortunes of young adults whose middle-class parents have divorced, compared with those whose parents have stayed together, the conclusions are stark. Children born of middle-class parents in 1958, who were not 16 before their parents divorced...

- had twice the chance of leaving school without any qualifications (boys and girls)
- had two-thirds the chance of going to university (boys and girls)
- were a third more likely not to have a full-time job at age 23 (girls)
- were two-thirds more likely not to have a full-time job at age 23 (girls)
- were four times more likely to be living in a council house at age 23 (boys and girls)
- were two-thirds more likely to be a regular smoker age 23 (boys)
- were a third more likely to be a regular smoker age 23 (girls)

Taking children of middle and working-class parents together, children of divorced parents were:

- twice as likely to have a child before age 20.
- twice as likely to be married or living with someone before age 20.

Dr Richards's research also found that children whose parents had divorced were on average less emotionally stable, left home earlier, and divorced or separated more frequently. They showed more behavioural problems in school, were more likely to be unhappy and worried, and were poorer at reading and arithmetic.

At the Cavendish Laboratory, Cambridge, where Richards once split the atom, Dr Richards and his colleagues now study the splitting of families. "Low self-esteem may underlie a lot of these effects," he says.

"Death of a parent doesn't produce the same problems. The critical thing seems to be children's awareness that parents have, through choice, separated, and for many this means a parent choosing to leave them."

The resulting sense of abandonment, Dr Richards says, can haunt children into adulthood, leading them to undervalue their own worth, lack self-confidence and hence enter too rapidly into serious yet potentially vulnerable relationships at an early age.

As a university teacher I see that even when children have left home and are in their early twenties, their parents' separation or divorce can be very disturbing for them. Adolescents are particularly vulnerable, probably for similar reasons: at a point when they are learning about relationships, they see the most important relationship in their lives fall apart.

The differences between those whose parents have and have not divorced are most striking in young adult women from middle-class families. One reason for this may be that these women tend to embark on serious partnerships at an early age — perhaps seeking the emotional security and stability which their parents' divorce has denied them. As a result of having children so early, these middle-class young women miss the chance of going to university, and with that the career, income and fulfilment which they might have expected.



In life half of all divorced fathers lose contact with their children within two years.

things is upset by new situations; is bullied by other children; is miserable or tearful; prefers to do things alone. This is true both at age seven and at age 16.

Children of divorced parents also tend to misbehave more than those from intact families, again at both ages. They are more likely to be raised by their mothers as being disobedient at home; fighting with other children; being irritable and quick to fly off the handle; destroying others' belongings; being squirmy or fidgety; having difficulty settling to anything.

The majority of children of divorced parents end up living with their mothers, but if their mothers remarry the children tend to show more problems than those whose mothers stay single. "Particularly for ado-

lescents, it is very difficult to come to terms with a parent dating again," Dr Richards says. He argues that good and regular contact with the absent father can reduce some of the ill-effects of separation, even though this may be at the expense of increased conflict between the parents: the sad fact, however, is that a half of all divorced fathers lose contact with their children within two years.

Dr Richards, 55, is himself a divorced man. "I was 21 when I married, but we were too young and it didn't last. We had no children." And now "I have grown-up children but have never remarried." Divorce and family conflict can blight the lives of children — though it is important to remember that all the statistics available are average effects,

and clearly there are many children who fare well when their parents separate. Furthermore, until the present generation of children have grown up, we will not know whether the effects of divorce will be as bad as they were for the children of 1958.

Children survive best where good contact is maintained with both parents. "Many children learn that their parents are separating from a third party. Parents often do not talk to them and ask them what they want."

And what do they want? Dr Richards pauses for a second. "They almost always say they only want one thing," he replies. "That their parents should stay together."

• Ian Robertson is a senior scientist at the MRC Applied Psychology Unit in Cambridge

Measles vaccination has been a success — but for some the price may be bowel disease

## The sting in a jab

SO IS measles vaccine safe? Last week's research report that the vaccine used on tens of thousands of children every year may increase the risk of inflammatory bowel disease in adult life alarmed many people, none more so than the Government's Chief Medical Officer, Dr Kenneth Calman.

According to the study, published in *The Lancet*, the incidence of the gut disorders Crohn's disease and ulcerative colitis are three times higher among the 3,500 people who had measles jabs as two-year-olds in the early 1960s than

among those who were not vaccinated.

Doctors at the Royal Free Hospital in London, who conducted the study, say this is only the latest in a series of research findings over the past six years, all of which point to a link between measles vaccine and bowel disease.

This is a considerable blow for Dr Calman. So far this year, there have been just 21

recorded cases of measles in Britain, compared with an expected 200,000, after the biggest vaccination campaign the country has seen. Seven million schoolchildren aged five to 16 were given jabs last autumn after indications of a worldwide epidemic.

About 120,000 people currently suffer from inflammatory bowel disease, which causes abdominal pain, diarrhoea and weight loss, and the incidence is rising. In the *Lancet* study, one in 140 of the vaccinated group developed the condition.

However, measles is not a

trivial illness. Complications occur in one in every 15 cases and encephalitis (swelling of the brain) in up to one in 1,000. Of those who develop encephalitis, 15 per cent die and 20 to 40 per cent suffer irreversible brain damage. The peak age for children developing measles is between four and five, which is why the (live) vaccine is administered in the second year of life. The Royal Free research team, led by Dr Andrew Wakefield, says the rise in bowel disease is linked to exposure to the vaccine, not to measles itself, possibly because children are more susceptible at this young age. A study of Scottish schoolchildren showed Crohn's disease had increased sixfold from 1968 to 1988.

Dr Calman has responded that bowel disease has been increasing since the 1930s, long before measles vaccine was introduced. Dr Wakefield suggests that an improvement

in social conditions meant that deaths from measles fell dramatically in the early 1900s, from over 1,000 lives a year to a couple of hundred. This may mean that those most susceptible to the virus are surviving but they are the ones most likely to develop inflammatory bowel disease either from measles itself or the vaccination.

The Royal Free doctors concede that bigger and better studies are required before any change is made to the national vaccination programme or in advice given to parents. Dr Calman, for his part, promises to examine new evidence carefully.

For parents of small children, the dispute highlights the balance between risk and benefit common to all medical treatments. Most will want to go along with the advice, from both sides, to stick with the vaccination programme for the present. But those with a family history of inflammatory bowel disease may want to think again.

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# What did Russia fight for?

Anne McElvoy on Moscow's militaristic celebrations

Craggy faces of fighting heroes peer out from a shop window on the Novy Arbat filled with imported lingerie. Trams and trolley-buses are emblazoned with "Fifty Years of Victory" or just "Glory!". At night, Moscow's central ring-road is sealed off to let the tanks and armoured personnel carriers practise for their triumphal journey through the city on May 9.

The anniversary of the defeat of Hitler is to be celebrated in a militaristic manifestation indistinguishable from the woodenly orchestrated parades of Soviet times. The only difference is that these days, there are goods in the shop window, as well as the posters and placards.

While invited Western leaders fret about the symbolism of watching a parade of soldiers some of whom may have taken part in the bloodshed of Chechnya, a far greater sleight of hand is taking place. The international jamboree suggests that all present, whichever side they were on in the war, are commemorating the same thing: the defeat of a brutal and aggressive Nazi dictatorship. But Russia's approach to the anniversary is essentially different: it is marking a Soviet victory, with no appreciable attempt to distance today's Russia from the Stalinist entity of 1945.

Russians generally speak not of the Second World War, but of "the Great Patriotic War". Nowhere in the commemorations is it acknowledged that the war began in 1939, the year Hitler and Stalin signed their non-aggression pact. There is still a substantial deficit of public knowledge about what was evil about Hitler's Germany — other than its waging war on the Soviet Union.

The Holocaust was played down by Stalin as he embarked on his anti-Semitic campaign to root out "cosmopolitanism" after 1945. He even approved the show-trial of Paul Merker, a leading East German party member and intellectual who wanted to make restitution towards the Jews, a central plank of Communist policy. The genocide is little discussed in Russia to this day. The term is introduced in politicians' speeches, used to mean any killing of which they disapprove.

The Kremlin is intent on creating a relentlessly upbeat celebration to bolster the spirits of a benighted nation. No room has been left for remembering those victims of the war killed by their own side — the purged officer corps or the targets of the dreaded "procurements" who were responsible for imposing Communist Party discipline in the ranks, more often than not with a randomly applied revolver.

All but the most stubbornly reformist newspapers are following the official lead in their coverage of the anniversary, printing safe memoirs rather than engaging with the trickier question of the incongruence between the images of bloodthirsty Stalin the mass-murderer and great Stalin the war-leader.

Nor is this simply a case of the stubborn Soviet past seep-

ing through into the post-Communist present. It is a cynical attempt by an insecure leadership to robe itself in borrowed grandeur, regardless of the fact that there would be no President Yeltsin if the Soviet Union had not collapsed.

The Prime Minister, Viktor Chernomyrdin, has said that Stalin's name cannot be deleted from the history of the war, and has praised the dictator for rallying the country, but the leadership has stopped short of allowing Stalin's face to appear on posters and memorials. Marshal Zhukov has been resurrected as the main figure in the iconography of the war.

The veterans, in whose name this is allegedly all taking place, are being treated as mere cogs in the machinery. Obligated to cover an exhausting distance from Red Square to the Poklonnaya Hill, they will be regimented once more, marching to orders from above. A welter of feudal declarations from the Kremlin has granted them extra pensions, a holiday voucher and free medicine to mark the day, before the majority of them return to life at subsistence level in an economy unable to provide for the weak or unproductive.

The two images of Stalin — as hero and as tyrant — cannot be reconciled

ideological fervour of the Revolution as the binding force of the dictatorship.

In one of the few critical appraisals of the jubilee, the writer and war veteran Vasil Bulitov writes: "We know what we fought against. But the painful question of what it was that we fought for goes unanswered. The halo of sinlessness with which we have crowned the participants of the war gets brighter every year. That suits both the veterans and the rest of society. But it is a false image, from a boy's novel, not from the world as it was."

Taken together with Russia's growing tendency to define its foreign policy aims in opposition to the West and the rumbling war in Chechnya (to be suspended for cosmetic effect during the celebrations), May 9 is a perturbing reminder of the interest that many in her power elite have in defining the greatness of their country solely in terms of military prowess and war. Another generation of children will grow up having seen tanks parading through the streets, not as a result of extraordinary coups or uprisings, but as an acceptable display of national pride in peacetime.

The official statement of aims behind the day defines its purpose as "the promotion of the ideas of patriotism and the defence of the Motherland through reminding people of the heroic deeds of Russian soldiers in the war". Whose patriotism, which Motherland, and to what ends, it is careful not to disclose.

Denis MacShane argues that the Clause Four conference was not a defeat for the unions, but a challenge

## Now the unions must let Labour go

Labour's conference on Saturday definitively settled accounts with early-20th-century Labourism. Clause Four has gone. Are the unions next to be expelled from new Labour? As an MP sponsored by the Iron and Steel Trades Confederation, I hope not. But the relationship between unions and Labour can never be the same again. The conference in Westminster Hall marked the beginning, not the end, of a debate about the unions' links with Labour.

The onus is now on the unions to justify their continued presence in new Labour's constellation.

Ninety-five years ago British steelworkers sat down with other industrial trade unions and founded the Labour Party. In contrast to European social democratic parties, which created trade unions in the last century as dependent bodies, the British trade unions regarded Labour MPs as their parliamentary spokesmen. This position was long maintained. Ernest Bevin used to growl at Labour intellectuals in the 1930s that the Labour Party "grew out of the bowels of the trade union movement". Clement Attlee gave ministerial posts to more than a dozen trade union general secretaries, and Labour's last Prime Minister, James Callaghan, made his name as assistant general secretary of the tax collectors' union before rising through the parliamentary ranks.

I value my sponsorship by Britain's steelworkers' union. It provides constant contact with an industry that is central to my Rotherham constituency and to Britain's manufacturing future. The union pays £200 a quarter to my local constituency party to pay for printing leaflets, organising street stalls and mailing literature to members. I would be happy to see that financial link replaced by proper state funding of the democratic political process, as is the norm in Europe. But I would still want to be invited to the steelworkers' conferences to talk with union leaders and ordinary members, as part of the task of any Labour MP.

My union consulted its members over Clause Four and received a clear message to support Tony Blair's re-write of the party constitution. The tragedy of many of the unions that spoke at Westminster Hall was that they were speaking not for their members but exclusively for the activists who dominate union conferences

and executives. The first task for these unions if they wish to keep in touch with the Labour Party is to get back in touch with their members.

The next job is to think hard about how to cast their votes in Labour's internal processes. The party's internal policy-making process is now much more reliant on individual members, asking each one to cast a vote. The days of party policy being decided by last-minute wheeling and dealing by executives and delegations in hotel rooms in Brighton or Blackpool must end.

Similarly, unions could usefully take a lead in suggesting changes in the make-up of the party's executive. More and more places on Labour's National Executive Committee are taken up by nominated union apparatchiks, mainly from the public sector. The unions representing the manufacturing, wealth-creating sector have been squeezed out. In particular, the provinces, where many union officers play a construc-

tive role in civil society, are not represented in the Labour Party's centralised, London-dominated executive machinery.

Unions which hold conferences biennially or triennially might ask why the Labour Party needs an annual October luncheon at the seaside. This winter, 23,000 people have joined Tony Blair, John Prescott and Robin Cook in debating ideas and policy. The annual conference itself is a relic from the early part of the century. Regional or policy conferences could replace the annual event and allow more thoughtful and constructive input by delegates speaking for unions.

A quarter of a century ago, when I joined the Labour Party, the trade union voices at its conferences were those of the working class, for whom unions were a pathway out of the pit, steelworks, shipyard or factory to which the class system consigned so much talent. But increasingly, the voices heard proclaiming from the

rostrum what the working class wants are those of university graduates who have decided to make their careers as a full-time union bureaucrats. The number of speakers at Saturday's conference who actually work for a living in British industry could be counted on one hand.

Some union leaders, such as Keith Brookman, the able general secretary of the Iron and Steel Trades Confederation, have decided to make their unions first-class instruments of industrial representation, instead of second-class ersatz political parties. This does not exclude political campaigning.

Similarly, the case for a minimum wage will be more effectively made by constructing an external campaign to win over public opinion, rather than by a fight within the Labour Party.

The paradox of trade union power is that it can be all the greater if it is not seen as wholly linked to a political party. The unions in Germany and the Nordic countries have far more influence in society, deliver a much better deal for their members, and are taken much more seriously by left-wing parties because they are not formally parts of the party political process. Far from a loosening of the links between unions and Labour being to their disadvantage, Britain's trade unions can now reinvent themselves for the next century's challenges.

## Michael's Macbeth moment

Heseltine would love to lead the Government, but what is the point if the party is too ashamed to speak its name

Remember the ancient and hallowed rubric "When the heseltine is blustering, the blairs are shooting up everywhere." And oh, he is blustering! If he were a man who needed solace, I would truly be sorry for him, but to give him his due he deserves scorn and contempt. But now his first and perhaps last problem is obviously whether to stab Major in the back, though we must allow for the serious possibility that it might be in the front. Not because of delicateness — who ever saw Heseltine being delicate? — but because timing is all.

You see his problem. If it is to be immediately after the local elections, he will be portrayed, rightly, as kicking a man who is down (though remember Iain Macleod's saying: "What's wrong with kicking a man when he is down? I should think it's the best time to kick him!") — but if he waits, he waits not only under the shadows of Portillo and Clarke, both no less hungry for advancement, but also under the shadow of the general election.

Treachery, you hear me say? A wicked slur, surely? Then you have too short a memory. Heseltine betrayed a Prime Minister to gain the prize he failed to get (I remember his wife in tears in those long tense hours, but he, as you would expect, came out head up), and now to fail again would be the end for his ambitions. Oh, and forget all the nonsense of rules and how long a time must elapse before a challenge to a Prime Minister. If there is a serious attempt to pull the rug, the rug will be pulled. And if it has to be Heseltine or one of his footmen, so be it.

Now I might as well make clear, at the cost of giving offence to my readers, that if I were giving advice to a young man thinking about a career, who for some reason had only two choices, the one being a politician and the other being the man who goes round behind the dogs at Wembley Stadium after the race scooping up the "beasties' droppings with a pan and brush, I would passionately urge the latter and think the boy would have had a bargain.

However, it seems that others, politicians, think differently, which explains Hanley, if indeed anyone could explain Hanley, at least not without doubling up with laughter. Ah, but did you know — I didn't until just a few days ago — that most of the jokes about him were not jokes at all? Listen to this about the chairman of the Conservative Party:

Jeremy Hanley has been declared an electoral liability by some Tories in Erewash who are boycotting the Conservative Party chairman's visit... Councillors are convinced that Mr Hanley is so "gaffe-prone" that he will make matters worse and will drag up "smutty" national political issues...



The leader and deputy leader of the council's Conservatives, Henry Shaw and Gerry Harrop, said yesterday they would refuse to see the party chairman, and added that they wanted to distance themselves from the whole Cabinet.

Bernard Levin

It is obvious that the Tories are in such a disarray that they can hardly stop to see what fools they are making of themselves. Take the ludicrous little fellow (Hunt, he is called, I think), who ran about pretending to be shocked when Blair pointed out — and no one could deny it with a straight face — that the Prime Minister is a multiple liar.

There would be nothing startling about calling the Prime Minister a liar, even if he weren't one. But the point I am making has nothing to do with mendacious prime ministers, it is the collapse into nothingness of the Tories. Despite all the years of my interest in elections — fully half a century, from boyhood to the present — I cannot remember a precedent for a party so demoralised that many of its candidates are apparently ashamed to admit that is what they are, and who are thus sailing under other flags. Whence the cur-

ous number of candidates saying that they are asking voters not to vote Tory, but to vote "Horticulturalist" or "The usual man", or for other strange versions of camouflage.

Yet it is obvious that the Tories cannot just shrug and go home to bed, never to emerge, and that is where we can see a sight truly never seen before: a hysterical Heseltine. Mark: "Why should we believe a word of what he says today, when he's just told us that he doesn't believe a word of what he said yesterday?" No, no, no, you've got it wrong, but I am not at all surprised: it is Heseltine insulting Blair, not absolutely everybody spitting in the eye of Heseltine.

When I contemplate what is going to happen in the local elections on Thursday (and for that matter the

nail-biting decision that Heseltine has to make), I can hardly express my joy. Expert psephologists say that the Tories could lose up to 2,000 seats, and those, I may say, include many walkovers for Labour, because in many seats the Tories could find no candidate willing to stand. (Don't worry, when it is over, my beloved Woodrow will tell us all that the débâcle was really a tremendous vote of confidence for the Tories.)

But are you surprised? If I had any pity for the Tories (I haven't), I would expend it on the poor devils whose job it is to keep the torn, dirty, crumpled, ragged, holed flag flying. But when they are reduced to claiming that the Conservatives are loathed because of the nine sceptics (or was it 11?) rocking the boat, it would need the patience of all the saints in the calendar not to give up.

Well, most have given up. The simple truth is that this country is sick and tired of the Tories. The Heseltines and their like (but are there any like?) are bound to the stake; they can't just quit Parliament and go into business, though come to

think of it, Heseltine came from business, after all, and made a fortune by his own skills and enterprise, until he got into his head that it might be rather fun to be the Prime Minister. And the rest you know.

Yes, the country is sick and tired of the Tories. There are no more excuses, no more mirages, nothing to fall back on (or into) other than a bottomless black hole, and since it is always the Tories, not Labour, who are found with their trousers round their ankles, they cannot even hope for a scandal. It doesn't matter, or matters only for the psephologists, why the Tories have to go into the black hole. It would be intriguing if one of the polling companies did a survey, asking only those who say that they have given up the Tories, why they have thrown in the grubby towel. I bet you that a very considerable number of respondents would have to say Don't Know.

But even those who say they do know, know for a somewhat arcane reason. It is not that many people are, or think they are, worse off under the Tories; it is not that they distrust the Euros; it is not that there is a limit to sleaze; it is not that the Prime Minister has lied. It is simply that the Tories' time is up, and not just up, but very up indeed.

If Ian Mikardo, who was Parliament's bookie, were still alive, he would be offering 60-1 for a Labour landslide, and closing the book because too many bets were pouring in (and he had no fear of a run on the bank). Mind you, the mystery of "Tories Out, Tories Out, Tories Out, Out, Out!" is not hard to decipher. We are a people who live by fairness, and although a good deal of the fairness has been chipped away in the past few years, the bedrock of it is still there. And it is now Labour's turn.

Don't laugh, it might make Heseltine cry. We have had almost 16 years of unbroken Toryism, and it is enough. But it is enough not just because of the Tories' mistakes, rottennesses and lies — though those things have had an enormous effect — but simply because enough is enough. The pendulum has swung, and it won't swing back until Labour has had its turn. That very word, "turn", makes clear what I am talking about. I wish Blair every success, and I think he will have it. But that is not the point: the point is that the British people, in their voting, will not suffer what looks like becoming a permanent fixture.

A problem — the problem — raises its head. The Tories are in power, and will cling to every scrap of it, however dishonest, odious and mendacious the clinging must be. It is a pity, unlike some other countries, that we do not cut off the heads of the outgoing or defeated party. Very well, we can wait.

## Spiritual side

AS FRENCH voters prepare for next Sunday's run-off in the race for the Elysée Palace, I hear of an unexpected casualty of the split within the right-wing Balladur/Chirac camp. Father Alain Maillard de la Morandais, charged with the testing task of caring for the moral and spiritual welfare of French deputies, has resigned, after allegations of bias.

The priest, based at the parish church of Sainte-Clothilde immediately behind the French assembly, first became the subject of complaints last year. Rumours whizzed around the Assembly that he had been heard to voice a preference for Prime Minister Balladur over the other Gaullist presidential candidate, Jacques Chirac.

Balladur had personally decorated the priest with the Legion of Honour last year. Although the priest denies campaigning for any politician, he salutes "the moral courage" of Balladur and the Socialist front-runner, Lionel Jospin. As he stepped down, de la Morandais confessed: "As long ago as last autumn, Jacques Chirac called

the Cardinal [Archbishop of Paris, Cardinal Jean-Marie Lustiger] to complain that I did not like him."

An assembly source sighs: "It's very sad, as he was a tremendous source of comfort. Many people do not see why he had to resign. After all, the Church has always dabbled in politics."



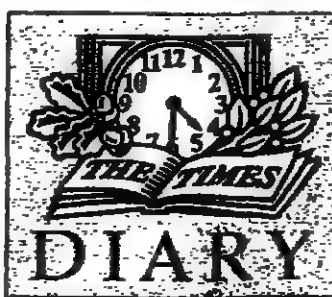
"No, you Tarzan — me motorway protester"

Some of the French visitors enjoying their May Day holiday in sunny London yesterday had come to gloat. Adverts for the Eurostar across the Channel declared: "Take the Shuttle in order to watch the English at work on May 1."

### Nice point

THURSDAY's parish council elections in the peaceful Hertfordshire hamlet of King's Langley may turn on a punctuation mark! Candidate Ian Senior is protesting that the apostrophe in "King's" was left out of the statement of candidates. "The parish has been split both ways historically but I have campaigned for over twenty years to have the apostrophe kept," says Senior. If he narrowly loses, a new ballot may be needed. "Somebody might be put off voting for me, thinking that I had split King's Langley without the apostrophe. And anyway, the apostrophe is an endangered species."

The Commons catering corps took up the challenge when Labour MP George Galloway held a conference about the Gulf last Saturday. For the first time, they served a halal meal. "Delicious," salivates



Galloway. "There were 150 people, mostly Muslims, and we had lamb kebabs, hummus and pitta bread. After lunch, several of the delegates took out their prayer mats, decided where East was and prayed towards Mecca."

### Siren suited

AFTER my item about Sir Winston Churchill's siren suit, it emerges that such a garment helped to instil the British Bulldog spirit in the stern headmistress of the Commons, Betty Boothroyd, during the war. Reminiscing about her childhood in Dewsbury, Boothroyd reveals that long nights in the family cellar during air-raids were buoyed up by her very special garment.

"My mother got a grey blanket, dyed it purple, and made it into a siren suit, with a pixie hood, which she lined with pink satin," says Boothroyd in the VE-Day issue of The House magazine. "When I zipped myself into this suit, I felt I was prepared for anything Hitler might drop on me."

### Beagling away

CAMBRIDGE's Trinity Foot Beagles are welcoming their first-year lady master — Stephanie Hirsch-Meiller, who is reading classics at Selwyn College. With time to bed down before the new season, Hirsch-Meiller reassures older hands that she is "not one of those ghastly feminists", and is busily learning the names of the 30 beagles. "I have photographs of all of them, but it is difficult to tell them apart," she explains. "I must admit, though, that I do already have a favourite, called Drifter."

### In the bud

NIPPIES, the fleet-footed purveyors of tea and cucumber sandwiches at the sorely-missed Lyons Corner Houses, made a special re-



Teatime for the British Lyons, 50 years on

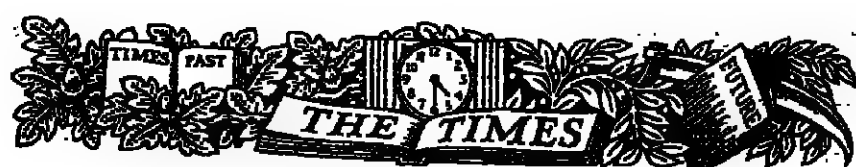
turn yesterday. Waitresses from the 1940s dug out their sharp-cut black frocks with starched collars, neat white aprons and peaked caps to dart between the tables again, and reminisce about the 1940s.

Charlwood House, a home for the elderly in Westminster, was converted into an old-style café with admission by ration-book.

P.H.S

كذبا من الأصل





## PEACE NOT TRUCE

What Bosnia most needs is a new diplomatic strategy

In Bosnia, a four-month ceasefire officially ended yesterday. For the West's political leaders this ceasefire has been a blessed respite. With the conflict out of the limelight, they could claim — without having anything to show for mediation — that diplomacy now had a chance. Precisely because they are divided about what to do next, the members of the five-power contact group are united in the desire to prevent Sarajevo, Bihac, Gorazde and Srebrenica from being household names again. That is what the frenetic shuttling between the Bosnian Government and Bosnian Serbs by Yasushi Akashi, the United Nations special envoy in former Yugoslavia, is all about.

In Paris, Moscow and to a lesser extent Britain, politicians mutter about a great and present danger of all-out fighting and a possibly contested withdrawal by Unprofor, should Mr Akashi fail to secure an extension of this truce. But the risk of serious escalation is greater in Croatia than in Bosnia, where neither side is capable of decisive military gains. The benefits of preserving a *status quo* which all parties resent should not be exaggerated. Seen from inside Bosnia, this ceasefire has been a farce. It was always provisional, constantly flouted, and never considered by any of the combatants to be the beginning of peace.

In theory, it has enabled Unprofor to go quietly about protecting Bosnia's "safe areas" and delivering humanitarian aid. In practice, whatever UN spokesmen say, Unprofor is hostage to Serb gunners and Western policy is hostage to them too, because protecting civilians has come to take second place to protecting "our boys", and the Serbs know it. UN troops in the eastern enclaves, denied such bare essentials as diesel, cannot even function properly as monitors. Sarajevo is once again being strangled; its airport has been closed since April 9 and the Mount Igman road, the only government-held link with the outside world, is under fire

from Serb heavy weapons which are banned from the area by a UN resolution supposedly enforced by Nato. As for central Bosnia, Bosnian-Croat forces have continued trying to drive back the Serbs.

An end to this halfhearted truce could even be beneficial if the sense of pending emergency forces diplomacy onto a fresh tack. Douglas Hurd referred yesterday to the divisions within the Serb camp. But to exploit them successfully, he must first have a new strategy. The "Greater Serbia" policy has become a political trap for Slobodan Milosevic, Serbia's strongman. He has broken with the Bosnian Serbs to escape UN sanctions. As a result, he would be weakened by a Bosnian Serb victory which he had publicly set out to thwart. This is the contact group's point of leverage. Mr Milosevic has said that he will recognise all frontiers, but only within an "overall settlement". He should be presented with one, based on Bosnian Serb accession to the year-old Bosnian-Croat federation. That would create the basis for federal links between Bosnia, Croatia and Serbia. If he agrees, sanctions should promptly be eased.

General Sir Michael Rose said shortly before relinquishing his Unprofor command that this war will not end unless Bosnia returns being the "multicultural, civilised state" that it historically has been. That will now be enormously slow and difficult. But the basic starting point is what it has always been: the mutual recognition of all of former Yugoslavia's frontiers and guarantees for minorities. The existing contact group plan has got nowhere because neither side is convinced that the divided peace on offer is better than fighting on for their respective political aims. Any partition plan for Bosnia will be seen by one side as unjust, and thus to be resisted — if not tomorrow, then next year. That truth is what should concern politicians; the fate of the latest ceasefire is a wholly secondary matter.

## CONSUMERS' CHAMPION

Labour wants to be seen as the party of competition

The Labour Party's first try at making serious policy in the post-Clause Four era seemed an unpromising start: another rambling excursion into the fog of abstract nouns beloved by Gordon Brown, the Shadow Chancellor. This time the subject was competition policy and consumer protection, but the mixture of academic jargon and overwrought rhetoric was as bewildering as ever. On closer inspection, however, Mr Brown had chosen his battlefield cleverly: this is an area of real political vulnerability for the Government.

Mr Brown's aim is to establish that much of the financial hardship that voters — and especially Tory voters — have recently suffered was connected with the Government's failure to police the competitive marketplace in a way that even Adam Smith would demand. The Government, Labour claims, has allowed monopolies to overcharge consumers, has looked the other way as giant companies have strangled small competitors, has encouraged banks to squeeze the lifeblood out of small businesses. It has connived with the now notorious financial services industry in bamboozling customers into accepting ruinous mortgage, insurance and pensions advice.

Some of Mr Brown's claims carry overtones of Old Labour. He attacks the privatised utilities for doubling their profits — their profits are simply "a reflection of more effective monopoly", he insists. This comes close to the trade union dogma that sacking underemployed workers is somehow an abuse of monopoly power.

Nevertheless, Mr Brown is broadly right on the main issues. Britain's system of protecting competition against monopoly abuses is disorganised, dangerously politicised and ineffective. But proposals to merge the Monopolies Commission and the Office of Fair Trading and change the

burden of proof in restrictive practices cases, sensible though they may be, are not going to win cheers on the hustings or even to inspire much interest among economists. Despite its imperfections, Britain's competition is more intense than in any other European country. Reforming competition policy will not produce some kind of transformation in economic performance.

It is in consumer protection that Mr Brown has found an economic issue that could do the Government real harm. The mis-selling of personal pensions and the explosive growth of endowment mortgages were two of the great social disasters of the 1980s, comparable in their impact on many families to the Lawson house-price boom. Mr Brown is right to put some of the blame on inadequate regulations for financial disclosure to customers; and the intimate links between the City and the Conservative Party are bound to inflame suspicions about the Government's lack of vigilance on financial consumers' rights.

What Mr Brown may underestimate, however, is the difficulty of curing the abuses which he has correctly identified. Publishing official league tables for the cost of mortgages and insurance products may sound splendid, but interpretation will be as complicated as it is for the league tables of hospitals and schools. Curbing monopolies and restrictive practices will often mean reining in national champions such as British Telecom, British Gas and British Airways. A tough competition policy is likely to destroy jobs in large unionised companies and replace them with non-unionised employment in small firms. Monopolies and business interests are soft targets for Labour. Only when he confronts the vested interests of trades unions will Mr Brown make good his claim that Labour is now "the party of competition and the consumer".

## MARBLE CANCER

The Taj Mahal rots as pollution spews out unchecked

At nine o'clock, tonight, Channel 4 will broadcast *An Open Letter to India*: in what could prove to be his most important role to date, the acclaimed actor Saeed Jaffrey appeals to the Indian Government for the life — no less — of the Taj Mahal.

It is no secret that the Taj is in mortal danger from pollution and neglect. As long ago as 1976, the Delhi correspondent of *The Times* wrote that "the white marble surface of the 17th-century building is seriously threatened by an oil refinery at Mathura, near Agra, which is due to come into full operation in the early 1980s". The refinery, a mere 30 miles from the world's most beautiful monument, is now working to its intended capacity, and propels 1,000 kilos of sulphur dioxide into the air every hour of every day. This level of pollution would be in breach of India's own environmental safety laws, were they ever to be enforced.

The effect of this noxious discharge on the translucent marble of the Taj has been nothing less than appalling. Kipling's "Ivory Gate" through which all good things come... the embodiment of all things pure... is now forlorn, yellowing and blotchy with grime. It is still magnificent to behold, but the filthy air of Agra will soon ensure that Shah Jehan's monument to his wife will look better in our picture-books than it does

to the visitor's smarting eye. To its credit, the Supreme Court of India has ordered the state Government to shut down hundreds of polluting industries in the vicinity of the Taj. Yet its order has not been complied with to any degree of satisfaction: the city of Agra is still teeming with illegal tanneries and foundries. Each one the source of grave detriment to this most precious part of India's heritage.

Distressingly, the refinery at Mathura continues to ply unchecked its brew of acid rain. If the damage to stone is so apparent, how harmful must the poison also be to those thousands who live and work in its shadow. In an essay on our pages last December, which was as moving as it was trenchant, Bernard Levin called urgently for experts to "gather and measure the shape and size of the misfortune, then get to work on it".

The error of siting a refinery at Mathura should have been apparent from the start: not only has it imperilled the Taj, it also affects adversely the renowned bird sanctuary at Bharatpur, and the ancient Hindu shrines at Vrindavan and Mathura itself. But the threat to the "sigh made of stone" is the most monumental of all. No-one will forgive the Indian Government if it fails to relocate the oil refinery, and if the Taj is allowed to rot beyond repair.

## Press watchdog defends progress

From Lord Wakeham, Chairman of the Press Complaints Commission

Sir, Mr Joe Ashton, MP (letter, April 29), cannot have it all ways. The select committee of which he was a member said over two years ago that it was "far from convinced that the number of complaints made [to the Press Complaints Commission] is an accurate reflection of the number of breaches of the code of practice. Many people remain unaware of the PCC...". He now argues that "...if self-regulation was working there would be fewer complaints, not more".

I accept that there was a time when far too many people had either never heard of the PCC or lacked faith in its ability to act judicially. However, that is changing as the commission builds authority with a strong and dynamic membership. Unsurprisingly, this higher and more purposeful profile is attracting more complaints to the PCC. I am pleased by that development. Any Member of Parliament will know the effect on his postbag of increased publicity for a particular issue.

Mr Ashton underestimates what can be achieved by a voluntary code of practice. An examination of the PCC's files shows the spirited lengths to which editors will go to defend their conduct by reference to our code — or conversely the speed with which they learn from errors of judgment. I doubt very much that the editors and journalists whose publishers have included the PCC's code of practice in their contracts of employment laugh at press self-regulation.

I readily accept that we still have a way to go to convince some legislators that the PCC can fairly hold the balance between the public and the press. However, press self-regulation must be made effective to prevent the nightmare of any true democrat — a system of statutory press controls.

Yours truly,  
WAKEHAM,  
Chairman,  
Press Complaints Commission,  
1 Salisbury Square, EC4A,  
May 1.

## A test of class

From Professor R. N. Franklin, FEng, Vice-Chancellor of the City University

Sir, You reported (May 1) on research, conducted by the Association of University Teachers into the class mix of university students in this country, which concluded that the middle classes still dominate.

There are two reasons why this will continue to be so. First, the current method of classifying students is a lagging one, in that it uses parents' class to typify the student. This is of doubtful validity now that the majority of university students are mature and have established their own socio-economic standing.

Second, projections of the types of work available, using data over the past thirty years, indicate that within two generations the composition of the workforce will be so changed that the "working class" will have all but disappeared.

The political consequences of this transformation are profound and are beginning to be generally appreciated. In fact, one of the functions of universities is necessarily that of class transformation.

I conclude, that the golden age of working-class universities will never occur in Britain.

Yours faithfully,  
RAOUL FRANKLIN,  
Vice-Chancellor,  
The City University,  
Northampton Square, EC1,  
May 1.

## More mink

From Mr Andrew Robathan, MP for Blaby (Conservative)

Sir, In your interesting article on the "mink invasion" (April 23) it was suggested that the mink population had stabilised or might "even be declining".

Sadly, recent studies have produced evidence to the contrary. Mink were first identified as breeding in the wild in the United Kingdom in 1957: this month "A review of British mammals", published by the Joint Nature Conservation Committee, has found "strong evidence of increase in numbers and range" among the feral population of approximately 110,000. Furthermore, two national otter surveys have confirmed the mink's continuing spread.

Anecdotal evidence points to a population boom. In my own constituency in south Leicestershire, I hear of large numbers of mink being trapped on small brooks and streams, in areas which do not have much bankside cover and are relatively intensively farmed.

I regret that the numbers and range of feral mink in this country are continuing to increase, even if more slowly than in the past. Unless this spread is checked, the impact on our indigenous wildlife will become even more serious.

Yours faithfully,  
ANDREW ROBATHAN,  
House of Commons,  
April 25.

Letters should carry a daytime telephone number. They may be faxed to 0171-782 5046.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

## Labour's policy on industry's needs

From the Shadow Secretary for Trade and Industry

Sir, In the Business section of *The Times* today Mr Tim Melville-Ross, director general of the Institute of Directors, is quoted as believing that a Labour government would have a damaging impact on Britain's economy. I wonder if he could let us know exactly why he holds this view.

Labour is currently developing sound industrial policy to ensure the right conditions for the success of the British economy into the next century. An IBM consultancy survey published last year showed that less than 2 per cent of British companies are currently considered world-class. We want to change this situation.

World-class companies are globally competitive companies. Competitiveness comes from productivity, which in turn depends upon investment in skills, technology and capital. Yet investment as a proportion of manufacturing output is currently at a 30-year low.

Not only will Labour put in place a sound industrial policy, we shall also create a stable macro-economic environment. And by that I mean an economy characterised by stable, low

inflation, steady growth of GDP, stable employment, a stable exchange rate and balance of payments, and stable, low interest rates.

All of these important economic variables have been on a roller-coaster ride for the past 15 years, with the result that our manufacturing base has been decimated and long-term business and consumer confidence has been sapped.

A Labour government will combine sound economic policy with sound industrial policy to produce a world-class modern economy. We are committed to working towards a dynamic, thriving economy characterised by fairness as well as by the rigour of competition, where incentives and rewards match performance in the global marketplace.

Labour is actively consulting with industry on the design of our economic and industrial policy. If Mr Melville-Ross could be more precise in his remarks we would, as always, be happy to give them due consideration.

Yours etc,  
JACK CUNNINGHAM  
(MP for Copeland),  
House of Commons,  
April 26.

## 'Instant' gambling

From Dr E. Moran

Sir, David Rigg of Camelot does not address in his letter (April 26) the essential difference between the National Lottery's weekly draw and the "Instant" game. These scratch cards, unlike the weekly draw, provide an opportunity for rapid turnover. This is encouraged by results that give the illusion of coming close to winning a big prize.

Concern was expressed about this type of scratch card by the last Royal Commission on Gambling, which referred to it as a "heart stopper". It is well known to encourage the "chasing of losses". "Instant" should be confined to premises licensed for gaming. Their sale through ordinary retail outlets is wholly inappropriate.

## Downing Street gates

From Mr Peter Cadogan

Sir, Your statement (report, April 20) that the erection of the Downing Street gates in 1989 "ended 200 years of public right of way" is at least 20 years amiss.

Public access was drastically curtailed in the autumn of 1949 as the result of an action by the Save Bialfa campaign. People in besieged Bialfa were being starved to death in large numbers.

Informed opinion, including most of Fleet Street, was moving into the pro-Bialfa lobby, but Harold Wilson's Government was secure in the support of the Opposition, the City, Shell and an obedient BBC. The traditional protest lobby, effectively under the control of the far left, was with Moscow in support of Lagos.

The only possible mode of protest

lay in small, spectacular actions, one of which involved us in burning the Prime Minister, in effigy, on the steps of Number Ten. In those days the police were still in Scotland Yard over the way. They came running out, but the Save Bialfa campaign had by then done the job and melted into the crowd. There were no arrests. One policeman went berserk and had to be restrained by his colleagues.

Within hours temporary crowd-control barriers went up at the end of Downing Street, guarded by the police, and these were frequently deployed there until the gates went up in 1989.

Yours truly,  
PETER CADOGAN  
(Secretary, Save Bialfa campaign, 1968-70),  
3 Hinchinbrook House,  
Greville Road, NW6,  
April 21.

## Arts Council shake-up

From Lord Gower, Chairman of the Arts Council of England

Sir, I understand the concern expressed (letter, April 29) by the president, English Centre of International PEN, and a number of distinguished writers at my assumption of the chair of the literary panel of the Arts Council of England.

However, in order to have representation of our newly-acquired National Lottery responsibilities on the council I requested that the Secretary of State allow me to have a council of 17 members, one more than at present.

On receiving his refusal of this request I was forced to make the difficult decision to take over from Michael Holroyd the chair of the literature panel in order to release a council member to the lottery portfolio.

## Bats in the belfry

From Mrs Catherine M. Ward

Sir, The Archdeacon of York's humorous anecdote (letter, April 15) is of little consolation to clergy whose churches are badly affected by bats. It is also misleading, as bats rarely roost in belfries — which are too noisy and draughty — but generally above the main worship area.

Their droppings and urine consequently foul and damage church furnishings and fabric. English Heritage is currently researching this damage and the Movement Against Bats in Churches' dossier of afflicted churches is growing.

Bats and their roosts are protected under the 1981 Wildlife and Countryside Act but we believe Parliament should recognise the Church as a special case, and allow it jurisdiction in this matter — as it has ecclesiastical exemption in other respects.

Churches are primarily spiritual and historical buildings, needing urgent protection. For small rural congregations — already beleaguered — bat infestation can be the last straw.

Yours etc,  
CATHERINE WARD  
(Founder, Movement Against Bats in Churches),  
The Rectory,  
Bale, Fakenham, Norfolk,  
April 24.

## Study of Classics

From Mrs Edna Preece Smith

Sir, Your correspondents (April 8, 11, 17, 20) have concentrated on the general decline in the teaching of Classics in the maintained sector. Specifically, in Gloucestershire at least, the situation is even darker.

One of my sons wished to take Greek, Latin and mathematics at A level. Mathematics was no problem but the local education authority informed us that no school in the maintained sector in the whole of Gloucestershire offered Greek and only three "may" offer Latin — none within 20 miles or on any conceivable public transport route.

If you want to take A-level Classics in Gloucestershire, you have to make your own private arrangements. My son was fortunate in having two Classicsists who were prepared to devote their free time to him, but others will not necessarily have this advantage.

If Gloucestershire's neglect is a fair reflection of the rest of the country, then remedial action by politicians responsible for education is essential.

Yours faithfully,  
E. R. PRECEE SMITH,  
Tudor House,  
Fairford, Gloucestershire.

Business letters, page 29

## Anglican Church's money problems

From the Bishop of Chelmsford, Deputy Chairman of the Board of Governors of the Church Commissioners

Sir, Professor Herrmann (letter, April 24), who is sure there would be more sympathy towards the need for increased giving from parishioners if those responsible for investment losses were to apologise, may, with others among your readers, be helped by knowing that the Church Commissioners have made a public apology.

As deputy chairman of the board, I conveyed it, through the General Synod, on November 11, 1993. It was repeated in a message, from the First and Third Estates Commissioners, which we sent to all clergy in February 1994. The board thought this corporate acceptance of responsibility more fitting than the attribution of blame to individuals.

What is equally important is that, as well as being sorry, the Commissioners have taken significant corrective and strengthening action over the last few years. All the recommendations of the Lambeth Report have been acted on and consultations within the Church about securing both the future funding of clergy pensions and adequate central support for the ministry in poorer parts of the country have been under way for many months.

Ten years ago the value of the Commissioners' assets approached £1.9 billion. They stand today at some £2.4 billion despite revaluations, up as well as down, of £800 million between 1986 and 1992.

Yours faithfully,  
JOHN CHELMSFORD,  
Church Commissioners,  
1 Millbank, SW1,  
April 26.

From the Reverend J. A. G. Scott

Sir, Your leader (April 21) on the Commons report on the Church Commissioners' financial failings is satisfyingly direct and timely, in particular as you make the point that change in the way the Church of England pays for its ministry has long been on the way.

However, by twice using the word "subsidy" in the context of lay people's contribution to the cost of that ministry, and of the Church's mission, you help to perpetuate the long-held myth that members of the Church of England are entitled as of right to a largely free provision of ministry.

It is the money from the Church Commissioners that is the subsidy, and Church of England members have been fortunate to have enjoyed so large a subsidy for so long. Now they must seriously commit themselves to paying their own way, as members of other churches have always had to do.

Where the Church of England does have a special case to plead is in having so many ancient buildings, some of considerable architectural importance, to maintain, and a great number of them by very small communities.

Yours sincerely,  
JAMES SCOTT,  
The Rectory, 2 School Lane,  
Kirk Ella, Hull,  
North Humberside,  
April 24.

From Mr Richard Freeman

Sir, The parish of Brundish is a farming community in mid-Suffolk of about 60 houses and 150 inhabitants. It has an ancient church of simplicity and tranquillity. I have been in charge of its restoration for ten years, during which time much money, time, effort and care has been given by very many people and organisations.

The congregation, at our two-hour-long services a month, averages about ten people. Our principal expense is a quota payable to the diocesan board of finance. We are expected to contribute £3,800 this year through the quota, and next year £5,000. This we cannot do.

Elementary arithmetic shows that for each hour our rector spends with us in church we are expected to pay to the diocese £158, and next year £208.

We are told that the Church is suffering a crisis of giving. May I respectfully suggest that the crisis is not a crisis of giving, but one of taking.

Yours faithfully,  
RICHARD FREEMAN,  
Yew Tree Farm, Brundish, Suffolk,  
April 24.

## Dead to rights

From Mr Jonathan Ruffer

Sir, Death may be certain (letter, April 27), but could it be that strenuous physical exertion makes it a racing certainty?

Yours faithfully,  
JONATHAN RUFFER,  
Ruffer Investment Management,  
12 Upper Grosvenor Street, W1,  
April 27.

## Better to give?

From Mr John B. Harris

Sir, How narrow are Canon Clarke's anathemas (letter, April 26): mine are parsnips, Brahms and the French.

Yours faithfully,  
JOHN B. HARRIS,  
15 Chartwell House,  
12 Ladbroke Terrace, W1,  
April 26.







## OBITUARIES

## VISCOUNT THURSO

Viscount Thurso, Lord Lieutenant of Caithness, landowner and founder of Caithness Glass, died at Thurso on April 29 aged 72. He was born in Surrey on December 24, 1922.

VISCOUNT THURSO was a most untypical Highland laird. He approached the challenge of dealing with the 100,000 acres of wild heather moorland in Caithness which he had inherited from his father with flair and enthusiasm, if not always with business acumen. He was more interested in the community in which he lived than in the ownership of land. He was a keen innovator and promoter of new industries in Caithness, who nevertheless relished tradition. He was an expert angler and stalker but was more involved in the management of the hill, the river and its wildlife than in sport for its own sake. He was without social pretensions, but had a strong sense of his own role. An expert in many things, he found the greatest fulfilment towards the end of his life in his presidency of the Boys' Brigade, an organisation to which he devoted himself tirelessly despite suffering from the crippling lung disease of emphysema.

The legacy with which he was confronted on the death of his father, Sir Archibald Sinclair, 1st Viscount Thurso, was a daunting one. Not only was he heir to what seemed like half Caithness, he also inherited a strong political tradition. His father had been MP for Caithness and Sutherland, Leader of the Liberal Party, Secretary of State for Scotland, and Churchill's wartime Secretary of State for Air. A glamorous figure, Archie Sinclair always wore the kilt at home, and, with his formidable wife Marigold, entertained generously, either in the remote Victorian splendour of Dalnawallan Lodge in the heart of the Caithness estate, or in their mansion in Richmond, Surrey. The young Robin Sinclair grew up fully alive to the importance of the family traditions but equally aware that there was not the means to sustain them.

It was partly this knowledge, and partly the creative side of his nature inherited perhaps from his mother, which prompted him to throw himself into a whole series of schemes to build employment in the area and to produce revenue. Not all, indeed very few, succeeded. But one, for which he will always be remembered, was Caithness Glass, today a thriving industry, which he founded and of which he was the first chairman. Its origins were typical of Lord Thurso's questing mind.

Pondering a use for sand, of which Caithness has a great deal, he hit on the idea of making glass, and looked it up in the *Encyclopaedia Britannica*. Nothing about the details, he proceeded with the plans, only to discover that the local sea sand was useless for making glass, and that it had to be imported from Belgium. Undaunted, he went ahead and opened the first factory in 1960.



Later, when sales were sluggish, he became a one-man marketing team, touring Harrods and other stores to persuade them of the merits of his product. His enthusiasm was infectious and, though his management of the business was more intuitive than methodical, he was to have over a going concern which may be his most lasting legacy. Anyone driving north on the A9 is greeted at the border of the county with the sign: "Welcome to Caithness, home of Caithness Glass."

Robin Macdonald Sinclair was born in Surrey and educated at Eton — where he showed a talent for acting and sculpture — and at New College, Oxford, and Edinburgh University. Entering the Royal Air Force through Oxford University's Air Squadron, he was training to fly in the United States when Pearl Harbor was attacked. He stayed on as instructor to the US Air Force. Later, at his own request, he transferred to photographic reconnaissance in Mosquito fighter bombers in French Indo-China. After the war, he briefly commanded the Air Squadron at Edinburgh University, where he also studied agriculture and was captain of boats. To gain further experience of farming he worked on various farms as a dairy cattleman.

Robin Sinclair was only 30 when his father had the first of several strokes, which eventually were to incapacitate him. He found himself, therefore, taking over the running of the estates before he had had a chance to develop a separate career, though farming was an abiding interest. He and his wife

Margaret, whom he married in 1952, worked to build up the farming side, particularly the creation of a flock of Cheviot sheep, using the house at Thurso East Mains, in the shadow of the ruins of the old Thurso Castle overlooking Scrabster Harbour, as their base.

At the same time he threw himself into local politics as a county councillor and a member of Thurso Town Council. In 1965 he was adopted as prospective Liberal candidate for East Aberdeenshire, losing at the 1966 general election to the sitting Conservative. On his father's death in 1970 he took his seat in the House of Lords, sitting on the Liberal benches and speaking on a whole range of subjects, mainly relating to Scottish wildlife and sporting issues. He became an expert on salmon through his interest in, and management of, the Thurso River and argued, long before it was fashionable, that the only way to improve a river was to treat the whole of it, including netting at the mouth, angling on its main beats and its hatcheries, as one. His interest in statistics echoed that of his ancestor, Sir John Sinclair, "Agricultural Sir John", who compiled the first statistical account of Scotland. It was Lord Thurso who brought salmon smolt from the Thurso to restock the Thames and one of his last public acts was to attend a meeting of the Scottish District Salmon Fishery Boards. He was also a member of the Red Deer Commission.

Inevitably, he had to cut back on the size and number of jobs on the Ulbster

Estates. The 100,000 acres were reduced by about half. The 50 or 60 employees, including stalkers, gillies and farm labourers, came down to single figures. But getting rid of people always went against the grain. He would take on a gillie with a large family in order to justify keeping the local school, for instance, and for a long time he struggled to run the Victorian shooting lodge of Lochduff as an hotel.

There were other ventures, all explored with enthusiasm, though not always with management skill — concrete boats, heather jewellery, pearl fuel and commercial forestry. The last was to land him in controversy when he was accused of destroying parts of the famous "flow country" and adversely affecting the fishing. He pointed out mildly that a very small proportion was affected, and it was one of the few job-creating industries around. He was also an enthusiastic backer of the nuclear reactor at Dounreay, which had helped to create local jobs and was a mainstay of the Caithness economy. Again he shrugged off criticism when he said he would be happy to see nuclear waste buried on his land. "The way I look at it is that just as you are going to start a dairy farm, you have got to know where you're going to put the muck," he said.

Robin Thurso was a warm-hearted and generous man, every bit as good-looking as his father, and always to be seen wearing the kilt, latterly accompanied by a rather battered pair of trainers. Striding over the hills with him, listening to a stream of information about the wildlife, about local history and local gossip, was always stimulating. He was a "hands-on" farmer, dealing with sheep and other animals with the familiarity of direct experience. But he was also keen on ritual, and when in 1973 he became Lord Lieutenant he was a willing figurehead, always superbly dressed to meet the Royal Family on their annual trips around the North Coast in the Royal Yacht *Britannia*.

He formed a specially close friendship with the Queen Mother, who regularly fished the Thurso River, and he and his family were frequent visitors to her home in the Castle of Mey. He gave her a small cottage on the estate which she renovated and greatly enjoyed as a place for picnics.

In 1985 he became president of the Boys' Brigade and toured the world, inspecting troops, taking salutes, and passing on his own unwavering enthusiasm for the organisation. Some ten years ago he developed emphysema, and his breathlessness meant that he had to cut back on many of his most beloved outdoor activities. But he still found time and energy to back one last enterprise — the development of Scrabster Harbour as an oil depot.

He is survived by his wife Margaret and two sons, John and Patrick, and a daughter Camilla. The title passes to his eldest son the Hon John Archibald Sinclair, who is 41.

## JACOB WEINGREEN

Jacob Weingreen, Professor of Hebrew at Trinity College Dublin, 1937-78, died in Dublin on April 11 aged 88. He was born in Manchester on January 21, 1907.



Jacob Weingreen with his wife, Bertha

JACOB WEINGREEN was the first Jew to hold the chair of Hebrew in a Protestant university in a Catholic city. Pipe-smoking, unburied, slightly aloof and deeply erudite, he was a typical product of an earlier academic age and also something of a paradox. Although he went to Ireland as a child with his family, first to Belfast then to Dublin, he never lost his Mancunian accent.

Trinity College Dublin was founded in 1592 by Elizabeth I to uphold the Protestant ascendancy, and until some twenty years ago Roman Catholic students were still discouraged from attending. Hebrew studies there go back to the 17th century and the chair of Hebrew was established by Erasmus Smith in 1724.

Jack Weingreen filled the chair with enormous distinction. He entered TCD in 1926 with a Hebrew scholarship. He won a Large Gold Medal and the Wall Scholarship in Hebrew and gained a first-class honours degree in Hebrew and Oriental Languages in 1929. He was appointed lecturer in Hebrew in 1930. The following year he completed his PhD on ancient Hebrew education and was promoted to professorial assistant. He was appointed professor in 1937 and stayed until retiring in 1978.

Although his specialty was language and grammar, he had a profound interest in biblical archaeology. As a young lecturer in 1933, he was allowed to spend time as temporary assistant to Professor Eliezer Lipa Sukenik, the archaeologist of the Hebrew University, Jerusalem, and father of General Yigal Yadin, who led the Massada excavations and helped to uncover the Dead Sea Scrolls. In 1935 Weingreen again travelled to take part in excavations in Samaria.

His collection of archaeological artefacts formed the core of the Museum of Biblical Antiquities, which officially opened at TCD in 1957, the year before he was elected a college fellow. In 1977 the TCD board renamed it the Weingreen Museum, in recognition of his concern and care for the exhibits, which include Israelite, Canaanite, Egyptian

and Babylonian artefacts. He became a member of the Royal Irish Academy of Science and Literature in 1962. He was also a governor of the Chester Beatty Library of Oriental Art, which houses a large number of rare biblical manuscripts.

While Eire was relatively unscathed by the Second World War, Weingreen and his wife, Johannesburg-born Bertha Greveler, felt deeply committed to the remnant of European Jewry left in the Nazi camps. In 1945 Bertha volunteered for service at the Jewish Relief Unit at Bergen-Belsen, leading the team which provided food and basic necessities. A Girl Guide division commissioner, she was then appointed chief welfare officer to deal with the wide and daunting variety of personal and social problems.

She was joined by her husband, who became director of education, providing technical education for 400 mostly Yiddish-speaking boys and girls. Husband and wife were honorary lieutenant-colonels. Two Weingreen officers in a unit was unprecedented and unmanageable. Bertha, who had arrived first and presented a human face, was already known as Frau Bertha. Jack simply became Herr Bertha.

But Weingreen's field, in which he gained a worldwide reputation, was grammar, the backbone of language. His *Practical Grammar for Classical Hebrew*, first published in 1939, has sold 160,000 copies. It is still in regular use and its golden jubilee was celebrated by the Oxford University Press in 1989.

He also wrote *Classical Hebrew Composition* (1957), *From Bible to Mishnah: The Continuity of Tradition* (1976) and, in 1982, *Introduction to*

*the Critical Study of the Text of the Hebrew Bible*. He published a number of scholarly articles which drew on his enormously detailed knowledge of the ancient sources. But his expositions were always lucid as he drew together the strands of Jewish life to show the links between one period and the next. As far as he was concerned, his methods of textual criticism were never revolutionary. He was simply following the path pioneered by the rabbis of Talmudic times.

When he spoke in 1972 as the first Jew to give the opening address to the Presbyterian College in Belfast — where his grammar was a standard textbook — he exhibited two ancient Byzantine lamps. They were almost the same, except that one was decorated with a cross at its end, the other with a seven-branched candelstick (the menorah) over a palm branch. Using them to comment on Ireland's contemporary sectarian divide, as well as the older Judeo-Christian rift, he said: "Both are lamps, identical in shape, identical in function. They are the same lamp essentially, designed to spread light."

In 1961 he became the third Jewish president of the Society for Old Testament Study in Great Britain and Ireland. In 1969 he was elected to the council of the Jerusalem-based World Union of Jewish Studies and was president of the British Association of Jewish Studies in 1977. From 1971 to 1974 he was a member of the academic council of the Irish School of Ecumenics. He was a senior governor of *The Irish Times* and a director of the Irish Times Trust from 1974 until he retired last year.

He is survived by his wife.

## STEFAN POSSONY

Stefan Possony, American political scientist, author and military strategist, died in Los Altos, California, on April 26 aged 82. He was born in Vienna on March 15, 1913.



Star Wars: an array of lasers, missiles and decoys takes on a supposed Soviet missile attack

RESPONSIBILITY for Star Wars — America's now abandoned Strategic Defense Initiative — can be traced directly to Stefan Possony. In 1970, together with his co-author J. E. Pourcelle, Possony wrote a book entitled *The Strategy of Technology — Winning the Decisive War*. In this the authors visualised exactly the type of defence system against attacks by ballistic missiles, the development of which was to occupy United States scientists and politicians for the next two decades.

The book caught the attention of Ronald Reagan, then Governor of California, where Possony was senior fellow at the Hoover Institution on War, Revolution and Peace. And when Reagan became President, he took the idea with him to the White House.

American defence policy at the time was one of deterrence by the development of overwhelming offensive force which would make either side think twice before deploying it. This was appropriately

named mutually assured destruction (MAD). Possony argued that this strategy was insufficiently flexible. "To stay ahead in the decisive technological war," he wrote, "the United States must strive for a real option of assured survival." Though little of the necessary technology then existed, Possony postulated the very anti-missile ideas — including high-energy laser beams fired from satellite battle stations in orbit, advanced satellite radars to give early warning, and a range of decoys — which were later to be developed.

Stefan Thomas Possony left his native Austria in 1938 at

the time of the Anschluss, travelling first to Paris where he worked first for the Quai d'Orsay and then for the French Air Force, undertaking pioneering studies on the possibilities of strategic bombing. In 1940 he escaped before the German occupation of Paris and emigrated to the United States, where he became a Carnegie Fellow at the Institute for Advanced Studies at Princeton, analysing modern war and strategy.

With the US entry into the Second World War, Possony joined the Psychological Warfare Branch of the Office of Naval Intelligence and began

broadcasting propaganda messages to Austria via short-wave radio. Because of his expertise in psychological strategy, he was later called upon to work on the formulation of the demand to surrender which was sent by the US Government to the Japanese Emperor.

After the war Possony became an intelligence specialist with the US Air Force, while at the same time teaching international politics at Georgetown University. In 1955 he moved to the Foreign Policy Research Institute at the University of Pennsylvania, where he taught courses on communism, psychological warfare, geopolitics, political philosophy, and strategy and revolution in the 20th century. Among several books published during this period were *A Century of Conflict*, *Tomorrow's War*, *Strategic Air Power*, *International Relations* and a biography of Lenin. In 1959 he gave evidence on the use of language as a communist weapon before the House of Representatives Committee on Un-American Activities.

Possony severed his connection with the Pentagon in 1961 and moved to the Hoover Institution at Stanford University.

He is survived by his wife Regina, and one daughter.

## Newmarket punters rout striking stable lads

From Martin Huckerby  
Newmarket  
A running battle broke out at Newmarket racecourse yesterday when hundreds of racegoers swarmed on to the course to move striking stable lads who were sitting down on the Rowley Mile.

The spectators marched up the course and, despite attempts by the police to stop them, went into the group of about a hundred lads. One or two fights broke out and some lads retaliated but they were heavily outnumbered and swiftly left the course.

Mr Ronald Stone, Assistant Chief Constable of Cambridgeshire, had almost succeeded in talking the lads into leaving the course while a meeting was being held between union representatives and the trainers from whom the lads are demanding more pay. But just as he seemed to have ended the sit-in the horses for the second race came out on the course and moved towards the starting stalls.

As the jockeys tried to get their mounts through the lads the violence began. One jockey waved his whip at the lads who were frightening his horse, and they started

## ON THIS DAY

May 2 1975

When striking stable lads sat down on the Rowley Mile at Newmarket some jockeys tried to force their mounts through the strikers and an unseemly fracas followed as racegoers joined in the fray.

chasing him back down the course. Then other jockeys tried to force their way through. A mêlée started, and Willie Carson, a former champion jockey, was pulled from his mount, Avon Valley. With police help he remounted, rode back down the course and stopped opposite the members' stand.

He called out to the crowd that if they wanted the racing they would have to clear the track. He waved the racegoers on and they poured on to the turf.

As they began their advance, four of the jockeys, including Carson and Lester Piggott,

galloped towards the lads and went through their line. The other horses also forced their way through, despite barracking and other attempts to stop them.

The spectators streamed up the course in hundreds, and although the police pleaded with them to go back they refused to stop.

As the two groups met, shouting and scuffling began. The lads turned and ran up the course, pursued by the crowd, and then ran off to the side.

The racegoers, who included owners, trainers and several women, halted, shouting that they wanted to have a go at the militants.

One of the leaders of their advance was a retired officer, Major-General Sir Bantle Feilden, a former senior steward of the Jockey Club. Mr Robert Jackson, aged 54, from Whetstone, north London, a racegoer who was knocked down in the struggle, said: "I gave twice as good as I got." He felt sorry for the stable lads, "but when I saw them upset the horses, that is when the majority of punters here rebelled."

The meeting between the union delegation, led by Samuel Horncastle, district officer of the TGWU, and the trainers broke down without agreement. Mr John Winter, chairman of the trainers' federation, said afterwards: "There is no more money."

## ANNOUNCEMENTS

**YOUR WILL**  
If you are making your will please think of BLESSED. We care for all free-will bequests and women who have lost limbs in the service of the country.

**ANIMALS IN NEED**  
Please help us by contributing cash or kind to the fund which will help to pay the costs of the care of animals in need. The fund is open to all who are interested in the welfare of animals.

**THE TIMES**  
**NOTICE TO ADVERTISERS**  
To place your Birth, Marriage or Death Notices over the May 8th Bank Holiday please call during the following times:  
Saturday 6th May 9.30am - 12.30pm  
Monday 8th May 9.30 - 12.30pm  
Tel: 0171 782 7272. Fax: 0171 782 7799  
Where our staff will be available to take your call.

**You helped us in ASSOCIATION**  
**now help us in ACTION**

**action for blind people**  
London Association for the Blind has changed its name. Now we're working even harder to provide better services to blind or partially sighted people: at our own homes, through employment or cash help for those in need. A donation or constant now and a legacy later will make it all possible.

**TIGERS EXTINCT?**



Yes, the magnificent wild tiger could be extinct in the wild in a few short years unless immediate action is taken to prevent the current tiger crisis turning into an international tragedy. The Tiger Trust is the only organisation in the world exclusively fighting to save the majestic wild tiger from extinction.

## LEGAL NOTICES

To the shareholders of  
Great Nordic Ltd.

The ANNUAL GENERAL MEETING of the Company will be held on Tuesday May 16, 1995 at 3.30 pm at Industriens Hus, H.C. Andersens Boulevard 18, DK-1556 Copenhagen V.

The Agenda is as follows:

- a) report on the Company's activities
- b) presentation of the annual financial statements for approval; discharging the Board of Directors and the Executive Management from their obligations
- c) resolution for the distribution of the net profit for the year, including the declaration of a dividend on Company shares
- d) proposal for changes to subarticle 3 of Article 2, subarticle 1 of Article 10, subarticle 2 of Article 13, subarticle 1 of Article 15 and Article 31 of the Company's Articles of Association
- e) Board resolution to transfer DKK 269,263,000 from the Company's share premium fund to free reserves (other reserves)
- f) resolution that the Board be entitled to acquire up to 10 per cent of own shares
- g) election of Board members
- h) appointment of two auditors for the current financial year.

For the resolutions set out under items d and e of the agenda to be passed, Article 18 of the Articles of Association requires that at least one quarter of the Company's share capital is represented at the Annual General Meeting and that the resolutions be approved by not less than two thirds of the votes cast and two thirds of the voting share capital represented at the Annual General Meeting. In the event that the required percentage of the share capital is not represented, but where the resolution has been approved by the above-mentioned qualified majority of votes, the resolution may, however, be passed at a new general meeting convened for this express purpose by the said qualified majority, irrespective of the percentage of the voting share capital represented at the General Meeting.

From Monday May 8, 1995 the agenda and the full and complete resolutions to be proposed at the Annual General Meeting, as well as the financial statements, the Auditors' Report and the Report of Directors, will be available for shareholders' inspection at the Company's registered office on the third floor of Kongens Nytorv 25, 101 6 Copenhagen K, and at the Company's bankers in London and Paris. Not later than eight days prior to the Annual General Meeting, the above material will also be posted to the registered address of every shareholder on the Company register.

Admission cards to the Annual General Meeting will be available on request from the Company's office from Monday to Friday between 10 am and 4 pm, up to five days prior to the Annual General Meeting, to any shareholder who can prove a good title to his shares. As far as bearer shares are concerned, the shareholder shall prove it is title to such shares by presenting a statement issued by the bank in which his shares are held, of his holding of Company shares as of May 4, 1995.

Any right to vote shall be conditional upon the voting share being registered in the name of the shareholder and upon the shareholder being entitled to the meeting pursuant to the above-mentioned provisions. Where the shareholder has acquired the share by way of transfer, the share shall furthermore have been registered in the name of the shareholder for not less than three months prior to the date of the Annual General Meeting.

Copenhagen, May 1, 1995

The Board of Directors







ARTS 33-35

Richard Cork on a show that sheds light on shade

LAW 37-39

Revving up for the Law Society elections

SPORT 43-48

Waugh brothers take the fight to West Indies

LIGHTING UP FOR SUCCESS  
Small business 32

# THE TIMES

BUSINESS EDITOR Lindsay Cook

TUESDAY MAY 2 1995

## Dutch axe 21 top staff at Barings

By Robert Miller

THE Dutch bank that bought Barings for £1 and footed a bill for losses incurred in derivatives trading in Singapore and Japan estimated at £860 million, yesterday announced the resignations of 21 of its most senior staff. The Barings employees were given the choice of resigning with three months' notice or facing instant dismissal.

When Internationale Nederlanden Groep (ING) bought Barings after it collapsed in late February, the Dutch group had hoped that an investigation by the Board of Banking Supervision would report swiftly and identify where the fault lay. However, the report, now due to be completed later this month or early next month, will not identify any individuals, and no senior Barings official will be named.

A spokesperson for ING said last night: "This is not a judgmental call, but rather a function of identifying those people who were most closely related to derivatives trading in Singapore, whether they were active dealers or involved in the back office administration."

Among the departures yesterday were ten staff from London, including Ron Baker, the head of the financial products group, who joined Barings from Bankers Trust on a four-year contract in 1992, and Mary Walz, the global head of equity derivatives. Nick Leeson, the derivatives trader blamed for the collapse of the 23-year-old merchant bank



Baker: surprise departure



Baker: ING set the agenda

and who is currently being held in a Frankfurt prison awaiting extradition proceedings initiated by the Singapore authorities, reported direct to Barings in London.

Many observers expressed surprise that the three staff who resigned from Barings' Singapore office included James Bax, the regional manager, South East Asia. The other two were Simon Jones, regional operations manager,

and Rachel Yong, the financial controller. Mr Bax has been singled out as one of the few senior Barings personnel to put in writing his concern that there were too few checks and balances in the Singapore operations. This was in March 1992, months before Mr Leeson was transferred there.

Now it has emerged that Mr Bax, as well as losing his job, has been told to stay in Singapore to assist the authorities there with their own enquiry into the Barings collapse, the results of which are expected to be announced at the same time as the Bank of England's inquiry.

Mr Baker, speaking in London yesterday, said: "It was a sad day for all 21 people involved. Many were long-serving and it's not a situation anyone enjoys."

"ING were in a position where they decided who they wanted to be part of their future organisation. Whether those who resigned actually resigned is neither here nor there. ING set the agenda."

"ING made decisions about the future of the organisation and the people they wanted to be involved in it—that's their right."

"I am involved in two or three different inquiries and I am confident that those inquiries will vindicate my position. There is no suggestion I did anything untoward and people have been at pains to say that wasn't the case."

"I agreed to leave, but I have three months of my employment contract to run and I am still employed until the end of July, so I am still bound by all the obligations of confidentiality and will remain so until I finish."

Commenting on whether Nick Leeson was to blame for the bank's collapse or whether he had been made a scapegoat, Mr Baker said: "I have no knowledge of the Nick Leeson affair. I only have very limited knowledge of Nick Leeson. I have no comment on the lost money. I don't think today's resignations had anything to do with Nick Leeson."

□ Nick Leeson is "terrified" that he may have to go back to Singapore to stand trial, his father said last night. The 28-year-old is expected to fight extradition from Frankfurt to face charges of forgery and cheating. He could face seven years in jail on each of 12 charges if found guilty.

The launch comes less than two months after Tesco launched low-benzene unleaded to counter a cancer threat.



Personal service: David Sainsbury looks at a London taxi with a Sainsbury Personal service

## Sainsbury launches green diesel

SAINSBURY is launching a "City Diesel", imported from Scandinavia, which it is claimed will cut the sooty exhaust particles linked with cancer, heart attacks and breathing difficulties by more than a third (Nick Nuttall writes).

The diesel contains little or no sulphur and produces 28 per cent less smoke. The supermarket chain is subsidising the fuel so that it retails for only 2p a litre more than conventional diesel at between 50.9p and 52.9p a litre. It will initially be on sale at 11 stores, mainly in the London area.

The launch comes less than two months after Tesco launched low-benzene unleaded to counter a cancer threat.

## BA wins contract to fly mail for Germany

By Oliver August

BRITISH Airways subsidiary Deutsche BA, has won a contract to fly German mail, breaking a long-running Lufthansa monopoly.

Steven Davis, operations officer, said: "This is a first step into the market and it is certainly a good money-spinner. If things go well we might pick up some more flights."

Mail will be transported from Munich to Leipzig and back every night. By using seat containers, Deutsche BA flights will carry 11 tons of mail, compared with Lufthansa's eight tons. The containers will be placed over a triple seat and fixed to the cabin floor.

Some 430 tons of mail are transported by plane in

Germany every night. A spokesman for the German Post Office, which is making plans to deregulate, said: "We are trying to increase competition."

But in spite of the new contracts for Deutsche BA and Euroflights, a local carrier, Lufthansa will still transport 90 per cent of the mail.

The German Post Office and Lufthansa have extended existing contracts for another two years. From 1997, all domestic airlines will be able to compete for the lucrative contracts. Airlines are particularly keen on mail flights at night because their planes would otherwise be idle. The only additional costs are for fuel and pilots.

## Hanson to merge brick makers

By Neil Bennett

HANSON, the aggregates, chemicals and energy conglomerate, is planning a merger of its brick interests this autumn to create Britain's largest brick manufacturer with a market share of more than 30 per cent.

The move will bring London Brick in Bedfordshire and Butterley Brick in the North East of England into one company, Hanson Brick. This will be the first time in the company's history that it has used its name on any of its products.

The group also hopes to open talks with other brick makers over asset swaps that would give the company full national coverage. At present, Hanson is still weak in the west of England in spite of its powerful market share.

Hanson has decided to press ahead with the merger to reflect the nature of the market, which is becoming increasingly national, with leading retailers and builders merchants, such as Wickes and Harcross, being the group's main customers.

The merger is also expected to create substantial administrative savings since the sales and marketing arms of the two companies are expected to be merged. The group is expected to announce details in September.

Hanson is closely watching attempts by Istock to take over Tarmac's brick business. It hopes that any deal will give both companies the opportunity to swap plants to improve their national distribution.

The merger is part of an initiative by Derek Bonham, Hanson's chief executive, to expand the group's main businesses and ensure that they address their markets correctly. This follows the disposal of many of Hanson's smaller, non-core businesses in the past two years.

Hanson has also expanded into Malaysia for the first time in a drive to develop in the fast-growing Asia-Pacific markets. Crabtree, the group's electrical accessories subsidiary, has built a £25 million factory in Malaysia to make circuit-breakers, wiring accessories and power-cord sets for the local market.

The plant is the group's fourth venture in South East Asia since it established Hanson Pacific in Hong Kong last year. Smiths Meters has plants in China and India and Imperial Tobacco has agreed to a venture in China. Crabtree's 40,000 sq ft plant is its first outside Britain. It employs 90 Malaysians.

## BUSINESS TODAY

### STOCK MARKET

FT-SE 100	3220.4	(+3.7)
Yield	4.24%	
FT-SE All share	1001.25	(+1.59)
Nikkei	16811.46	(+4.71)
New York		
Dow Jones	4309.17	(-12.10)
S&P Composite	514.14	(-0.57)

### US DOLLAR

Federal Funds	6.75%	(8.75%)
Long Bond	100.5%	(103.4)
Yield	7.35%	(7.34%)

### LONDON MONEY

3-month interbank	7%	(8.75%)
Libor 3m	100.5%	(103.4)

### STERLING

New York	1.8188	(1.8128)
London		
DM	1.8181	(1.8068)
DM	2.2484	(2.2316)
SP	8.0050	(8.0170)
SP	1.8538	(1.8425)
Yen	135.11	(135.15)
£ Index	85.1	(84.6)

### YEN

DM	1.3900	(1.3870)
DM	4.9500	(4.9250)
SP	1.1425	(1.1440)
Yen	83.53	(84.25)
£ Index	87.7	(87.8)

### Tokyo close Yen 84.05

### BRITISH SEA OIL

Brand 15-day (L/L)	£18.80	(£18.55)
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### London close

£887.35	(£888.55)
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\* denotes midday trading price

## Oil price surges on Iran ban

OIL prices in London surged to their highest level since March 1993 after the United States announced a ban on all investment and trade links with Iran. The price of Brent crude North Sea oil rose to \$19.35 dollars a barrel, a jump of almost 30 cents on the Friday close of \$19.07.

Chris Gredendewicz, a Smith New Court analyst, said that the market was reacting to a resurgence of tension in the Gulf. Prices were sensitive to statements from a commander of Iran's Revolutionary Guards that "a military confrontation with the United States is inevitable," and that Iranians should be "prepared for combat."

In announcing the embargo, President Clinton accused Tehran of backing terrorism and attempting to develop nuclear weapons. The move will halt US exports to Iran, estimated at \$326 million last year. Iran produces about 3.5 million bpd.

UK resists, page 14

## Price rises hint at rate increase

By Janet Bush and Philip Bassett

THE City yesterday became further convinced that the Chancellor will agree to raise rates following Friday's monetary meeting, after the latest Purchasing Managers' Index suggested a sharp rise in industry's prices.

The inflationary pressures came largely from the weakness of sterling, according to the Chartered Institute of Purchasing and Supply.

Speaking in Washington last week, Kenneth Clarke said that he would not raise rates purely because of sterling, but that monetary policy would be set with the aim of hitting the Government's inflation target.

Many in the City believe that, because the pound has boosted raw materials prices paid by industry, the inflation target is at greater risk of being missed. Others, however, believe that manufacturers will not be able to pass on higher costs to consumers because domestic demand is markedly weakening and they do not believe that a rate rise is justified.

In spite of such mixed opinion, however, there is an

extraordinary consensus in the financial markets that a rate rise is coming and is right. Many dealers predicted a flood of money out of sterling if the Chancellor stays his hand.

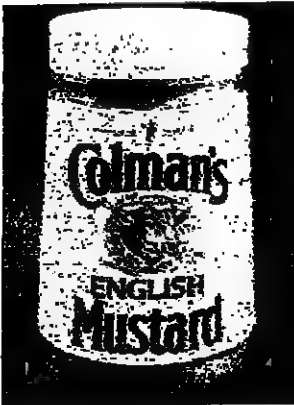
The purchasing managers' report also showed that the rate of expansion in manufacturing had risen slightly in April, suggesting some revival after a weak first quarter.

Also published yesterday was the M0 narrow money measure, which increased by a seasonally adjusted 0.4 per cent in April, weaker than expected and pushing its annual growth rate down to 6.2 per cent from 7 per cent in March. However, the City did not pay much attention to this figure.

□ Confidence among smaller firms is falling sharply, although export confidence and orders are rising markedly, according to new evidence today from the Confederation of British Industry. Small firms' new orders are also down, and set to fall further over the next four months.

## Unilever cuts the mustard from Colman's

By Sarah Bagnall



Colman's 183-year history

RECKITT & COLMAN has ended 183 years of mustard-making with the sale of Colman's, the Norwich condiment and soft drinks business, to Unilever for £250 million in cash.

Separately, Unilever has agreed to sell on the Robinsons soft drinks business for £103 million in cash to Britannia Soft Drinks, a company controlled by Bass, the brewing and Holiday Inns group. Both companies have given assurances that production will continue at the Norwich site for the "foreseeable future". Colman's employs 660 people.

The deals have been struck eight

months after Reckitt & Colman flagged the sale of its UK food and drinks businesses in order to pursue its ambitions of becoming a world leader in household products.

Last September, it paid £1 billion for L&F, Eastman Kodak's household products division, which owns brands such as Lysol spray disinfectant and Love My Carpet rug and room deodorisers. The brands joined Reckitt & Colman's long list of household names, such as Haze and Airwick air fresheners, Harpic lavatory cleaner, Dettol antiseptic and Lemsip cold remedy.

The group said the sale, which will reduce borrowings to £600 million,

would be followed by further disposals of brands, which in total would raise about £400 million.

Colman's of Norwich made operating profits of £24 million on sales of £153 million in the year to December 31. The businesses acquired and retained by Unilever accounted for about £60 million of sales, with the balance of £95 million generated by Robinsons soft drinks.

Unilever, which makes Oxo, Flora and Ragù pasta sauce, is acquiring a range of brands, including all the Colman's dry sauces and mustards, 15 citrus juices and OK sauces.

The purchase of Robinsons Barley Water by Britannia Soft Drinks

expands Bass's presence in the soft-drinks sector, where its interests include a 42.5 per cent holding in the Brive consortium. Robinsons Barley Water is the official players' drink at Wimbledon and Britain's 11th-largest grocery brand.

Bass is also believed to be among a number of companies interested in Lucozade and Ribena, the soft-drinks brands that SmithKline Beecham, the pharmaceutical company, is said to be willing to part with.

Reckitt shares fell 1p to 640p, while Unilever shares fell 5p to £12.19 and Bass remained unchanged at 549p.

Pennington, page 27

Dear John,  
Thank you for the wonderful 5.69% fixed rate mortgage.  
My new neighbours in Chelsea may still be noisy.  
But it's a better class of noise.  
Yours, K. Struger

John Charcol's latest fixed rate mortgage of just 5.69% (5.9% APR) should come as music to your ears. Fixed until May 1997, it's one of the most competitive deals on the market – and is available for both purchases and remortgages of up to 75% of the property's value (95% loans at a slightly higher rate). There are no compulsory insurances, and at the end of the term you can choose between a fixed or variable rate. For a written quotation, call John Charcol on (0171) 611 7000, or Leeds (0113) 2470338. Or, drop in and see us at 10-12 Great Queen Street, London, WC2B 5DD.

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## New head of WTO acts over car issue

By Colin NARBROUGH

RENATO RUGGIERO wasted no time on his first day as Director-General of the World Trade Organisation (WTO) yesterday, issuing a call to Washington and Tokyo to settle forthwith a bitter dispute over car imports to Japan.

Signor Ruggiero, 64, a former Italian trade minister, took over at the head of the new international free-trade watchdog from Peter Sutherland, its first director-general, who had to take the job in January when the US and the European Union failed to agree on a permanent appointment.

America's acceptance of a tougher policing role for the WTO than that of the General Agreement on Tariffs and Trade, its forerunner, was hailed as a sign that the US was ready to end its use of unilateral trade sanctions.

Mickey Kantor, the US Trade Representative, is due to discuss car imports with his Japanese counterpart in Canada, tomorrow. The US Administration has threatened to impose immediate sanctions against Japan.

Signor Ruggiero, who last week visited Japan, said he would prefer that America and the Japanese find a solution before the conflict came to the WTO. Japanese officials say that they will take the issue to the WTO if America applies sanctions.

A priority for Signor Ruggiero is to address questions of the WTO budget and the pay of its 400 staff. He also aims to complete negotiations for liberalised trade in financial services by the end of June.

Peter the Great, page 29

## Abbey and N&P chiefs meet to discuss bid

By ROBERT MILLER

PETER BIRCH and Alastair Lyons, the chief executives of the Abbey National and National Provincial Building Societies, held their much publicised meeting to discuss the Abbey's bid for N&P at a central London hotel yesterday. The meeting, described by both sides as "amicable", lasted just over an hour.

The Abbey, which is understood to have put a value of about £1.1 billion on the N&P, said that it had outlined to the society its initial thinking on a possible merger between the two organisations.

Analysts estimate that, on the Abbey's valuation, some 1.7 million qualifying members of N&P would receive a bonus, probably in the form of free shares, worth £650 each.

The Abbey, which converted from building society to bank in 1989, continued: "N&P will provide an information pack to Abbey National some time this week. Abbey National welcomes the opportunity to use this in order to firm up a proposal to N&P during the month of May."

For its part, N&P was more reticent on the timing of any formal bid from the Abbey. The society, the UK's ninth largest, said: "No formal proposal was tabled, although Mr Birch indicated that Abbey National would wish to make such a proposal in due course."

N&P continued: "Alastair Lyons made it clear to Mr Birch that N&P retained an open mind about the society's future strategic direction and that the Board's guiding principle was to act in the best interests of N&P's members."

Privately, N&P insists that it

will not be bounced into accepting the Abbey's bid automatically and that several other options are under active consideration.

The Abbey's current £1.1 billion valuation of N&P includes a substantial premium over net assets of £732 million. Any of the other options said to be under consideration by the N&P will have to be at least as generous.

On the back of takeover speculation, N&P last week closed its savings accounts to new customers who were tempted by the potential free share offer from Abbey National.

Instead, the society will launch a range of deposit accounts by the end of this week that are intended to mirror the same terms of those offered by the previous N&P savings accounts.

Mr Lyons said: "The bottom line is that any bid, whether from the Abbey or elsewhere, must lead to greater value for N&P's members than the current organisation on its own."

Abbey National stated: "Of course, no firm offer would be put at this stage but we did talk in quite some detail about specifics. Once the N&P has sent us more detailed financial information, which we hope to have by the end of the week, we will firm up our offer."

Abbey's intention to make an offer surfaced a week ago after it made a brief statement to the Stock Exchange following a spate of speculation that a merger was imminent. Abbey has long harboured ambitions to take over the National Provincial and first made an approach to the Bradford-based society in 1989.



Mark Vaughan-Lee, chairman, reported UK revenues of more than £43 million

## Continent targeted by Danka

By CARL MORTIMER

DANKA Business Systems, the office equipment distributor that was beaten to the post last month in a bidding war for Southern Business Group, a rival, is eyeing up acquisition candidates on the Continent.

Mark Vaughan-Lee, the chairman, is keen to build a foothold in Germany, The Netherlands, or Belgium. He said: "I expect in six to nine months we will own a business on the Continent."

Acquisitions contributed most of Danka's growth in the year to March 31, when profits surged from £32 million to £45.4 million. Sales were up 49 per cent to £515 million, including £64 million from more than 40 companies acquired last year. Organic growth from existing branches brought in £42 million, with the balance from companies acquired in the previous year. Mr Vaughan-Lee said that Danka's UK revenues were more than £43 million.

Danka spent more than £80 million on new businesses and the purchase of equipment for rental last year, leading to a surge in the interest charge from £2.8 million to £5.5 million. The dividend is up 20 per cent at 0.9p.

Tempus, page 28

## Granada acquires DVR

By MARTIN WALLER, DEPUTY CITY EDITOR

GRANADA Group has added a TV and video rental company to its electrical rental division. DVR, which rents equipment direct to the public rather than through a high-street outlet, is being bought for £22.6 million, with a maximum of another £10 million payable depending on the acquisition's performance over the next 12 months.

Granada is also taking on borrowings of £22 million. The vendors are the management and the funds are handled by ECI Ventures and Grosvenor Venture Managers.

DVR, a management buy-out, was to have come to the stock market by a flotation, but the vendors have opted for a trade sale because of market conditions. In the year to February 28, the company earned profit before interest of £3.9 million, up 34 per cent over the previous year, and pre-tax profits of £1.8 million, a 48 per cent improvement.

## BUSINESS ROUNDUP

### AAH set to lose fight for independence

AAH, the drugs wholesaler, is today set to lose its fight for independence as leading institutional shareholders are expected to accept a £400 million offer from Gehe, the German pharmaceutical distributor. The 445p a share offer closes today at 3pm. The success of Gehe's offer rests in the hands of Phillips and Drew Fund Management, the fund manager, which holds 17 per cent, and Schroders, which holds 8 per cent.

After a decision last week by Threadneedle to sell part of its 5 per cent holding, Gehe already has acceptances representing 29.9 per cent of AAH's equity. Last month, Gehe lifted its offer from 420p to 445p a share, but AAH's management argue that this undervalues the group. AAH says that the benefits of a radical restructuring programme are still to feed through and AAH's shareholders will not benefit from this as Gehe's offer is in cash not shares. AAH identified £1 million of costs that were to be stripped out of the business over two years.

### Southern seeks change

SOUTHERN ELECTRIC is following the example of several other regional electricity companies in asking its shareholders at this year's annual meeting in July to lift the restriction on shareholders from holding or controlling more than 15 per cent of the company's shares. The company said that keeping the restriction, introduced at the time of privatisation five years ago to remain in force until the year 2000 unless removed earlier by special resolution, for another five years would impose an unnecessary constraint on shareholders.

### Mobil cuts 4,700 jobs

MOBIL, the US oil company, is to cut 4,700 jobs from its worldwide workforce of 51,000, incurring a \$300 million restructuring charge against second-quarter earnings. Lucio Noto, chairman, said: "We are in a fiercely competitive business environment and changes in the way we run our business are essential to our future." The restructuring is expected to be completed over the next year. Mobil's first-quarter profits of \$636 million represented a 19 per cent increase from the same period a year earlier.

### MDIS director quits

MCDONNELL Information Systems Group (MDIS), the computer services company that has suffered two profit warnings and a slump in full-year profits since it was floated last year, has announced the resignation of Doug Thomson, the director responsible for International Business Units. A spokesman for MDIS would not comment before the company's annual meeting today. Last month, Giles Hemming became director of operations at MDIS. Mr Thomson was on a one-year contract and is entitled to £80,850.

### Dawson sells loss maker

DAWSON International, the Pringle knitwear group, has confirmed the sale of its loss-making Dawson Home Fashions subsidiary in the US for between \$40 million and \$45 million. The shower curtain and bathroom accessories business is being sold to Spring Industries. The sale will result in a net exceptional loss of up to \$15 million, to be taken in the results for the year to April 1995. The subsidiary made an operating loss of \$5.4 million in the year to March 26, 1994, and has net assets of about \$50 million.

## DTI urges software firms to consolidate

By ERIC REGULY

BRITISH computer companies should move quickly to consolidate their position as world-leading developers of telecommunications software before rivals in other countries, notably Germany and France, beat them to it, according to a report by the Department of Trade and Industry.

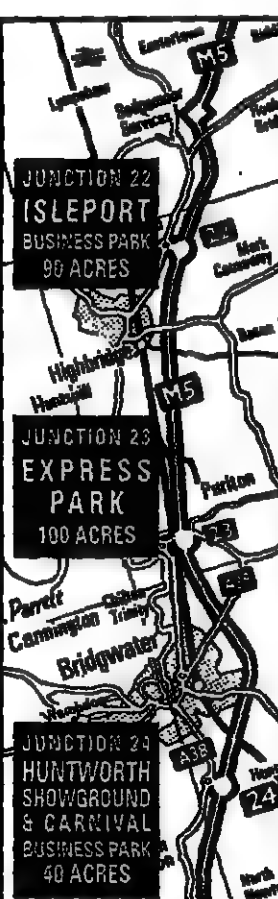
The report, *Telecoms Software: An Opportunity for the UK*, says the rapid expansion of the telecoms industry in the wake of BT's privatisation in 1984 has created hundreds of specialist companies whose products have found success in areas ranging from mobile-phone billing systems to talking-directory software.

But John O'Sullivan, the report's author and an independent telecoms and information technology consultant,

said the British industry, worth about £1.2 billion a year and employing about 17,000, had several major weaknesses to overcome.

Chief among them is lack of big-name competitors. BT, with 7,000 employees devoted to telecoms software development, is by far the largest. Mr O'Sullivan said: "The industry is very fragmented. There is a large number of very small companies."

The DTI thinks the smaller companies should consider merging with each other or with larger players. "Foreign buyers are reluctant to deal with small companies and you've got to be big enough to fund second and third generations of software," Mr O'Sullivan said. Some mergers have already taken place.



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Tel. \_\_\_\_\_

## TOURIST RATES

	Bank	Bank
Australia	2.21	2.14
Austria	16.80	15.30
Belgium	40.13	44.35
Canada	2.280	2.130
Cyprus	0.794	0.889
Denmark	5.43	5.83
Finland	7.48	8.84
France	8.40	7.75
Germany	2.40	2.19
Greece	383.00	363.00
Hong Kong	13.10	12.10
India	1.04	0.85
Italy	278.00	264.00
Japan	148.50	125.50
Malta	0.801	0.548
Netherlands	2.408	2.43
Norway	10.87	9.87
Portugal	248.00	230.50
S. Africa	1.33	1.18
Spain	206.00	183.00
Sweden	12.38	11.58
Switzerland	1.93	1.81
Taiwan	1.78	0.8919.0
USA	1.708	1.578

Rates for small denomination bank notes only, as supplied by Barclays Bank, as at close of trading yesterday. Different rates apply to travelling cheques.

## Gyngell new head of Yorkshire-Tyne Tees

By MARTIN WALLER

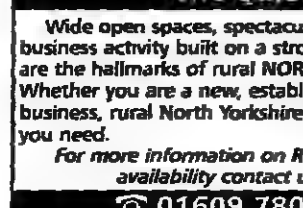
BRUCE GYNGELL, who resented TV-am with some help from Roland Rat before returning to his native Australia, is to re-emerge on the British TV scene as the managing director of Yorkshire-Tyne Tees.

He will also be chief executive of Yorkshire TV, one of the two independent broadcasters owned by the group, and is being seen as its chief executive in waiting, once Ward Thomas, currently chairman and chief executive, wants to lessen his responsibilities.

Mr Gyngell earlier this year resigned from executive duties at Nine Network, Kerry Facker's Australian TV station, after a power struggle and is known to want to return to Britain for family reasons.

His appointment to Yorkshire TV fills a hole left by the departure of his predecessor, John Fairley, last month. Yorkshire-Tyne Tees recently pulled out of one of the consortiums bidding to operate Channel 5, whose bids are due in today.

Mr Gyngell, one of the most colourful characters in television, brought a distinctive management style — and financial success — to TV-am, the morning broadcaster, when he arrived there in 1984.



Gyngell: colourful

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## LEGAL & PUBLIC NOTICES

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### PUBLIC NOTICES

#### FRIENDS PROVIDENT

#### NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the 162nd ANNUAL GENERAL MEETING OF FRIENDS PROVIDENT LIFE ASSURANCE CO. LTD. will be held at 10, High Street, London EC2A 4JF, on Wednesday 24th May 1995 at 2.30 p.m. to transact the following business:

- To receive the Accounts and Balance Sheet for the year ended 31st December 1994 and the Reports of the Directors and Auditors thereon.
- To re-elect as Directors of the Office the following Directors, who retire by rotation: Peter Silvester, Sir Anthony Toulson, The Hon. Richard Stanley.
- To elect the following Directors who have been appointed since the last Annual General Meeting: Tony Barnes, Klaus Bonde Larsen, Brian Sweetland.
- To re-appoint Price Waterhouse as the auditors to the Office and to authorise the Directors to fix their remuneration.

By Order of the Directors,  
B.W. Sweetland  
Secretary.  
2nd May 1995  
Friends' Provident Life Office,  
Fitcham End, Dorking, Surrey, RH4 1QA

### NOTES

- A Member is entitled to appoint another person (who need not be a Member) to attend the above meeting and vote instead of him.
- To be valid the instrument appointing a proxy, which should be as near to the form set out in rule 30 of the Rules of the Office as circumstances admit, and the power of attorney or other authority (if any) under which it is signed, or a notorially certified copy of that power or authority, must be deposited at Fitcham End, Dorking, Surrey, RH4 1QA, not less than forty-eight hours before the time fixed for holding the meeting, or adjourned meeting, or, in the case of a poll, not less than twenty-four hours before the time appointed for the taking of the poll.
- Proxy forms may be obtained on application to the Secretary.
- Members intending to attend and vote personally at the meeting should be prepared to quote their policy numbers.
- Only Members are entitled to vote. Certain policyholders are not Members. If a policyholder who is not also a Member completes and returns a form of proxy, it will not be counted.
- Members have one vote each irrespective of the number of policies held.
- Members are entitled, on application to the Secretary, to receive a copy of the Report and Accounts.

#### LEGAL NOTICES

**EXPEDITE GROUP LIMITED**  
In Compliance with the provisions of the Companies Act 1985, notice is hereby given that the 1994 Annual General Meeting of the Company will be held at 10, High Street, London EC2A 4JF, on Wednesday 24th May 1995 at 2.30 p.m. to transact the following business:

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#### LEGAL, PUBLIC, COMPANY & PARLIAMENTARY NOTICES

0171-782 7344 OR FAX: 0171-782 7827  
Notices are subject to confirmation and should be received by 2.30pm two days prior to insertion.



□ Reckitt offloads its domestic baggage □ Uninspired salvo from Mr Brown □ Caught between two privatisations

## Doing the brand name shuffle

THE standard joke about Colman's mustard is that Mr Colman's profit is in the mustard left on the side of the plate. Sadly, Reckitt & Colman has lost interest in selling the mustard that congeals in the nation's dining rooms and the Colman's of Norwich company is to be sold to Unilever.

This is only part of a wider story about companies that own brands and British companies that want to make it in the wider world. Reckitt wants to be a world player owning world brands. That means American brands rather than a presence in every roadside cafe in Britain. Building a world brand from scratch is not impossible but companies faced with sluggish sales in difficult markets prefer to solve the problem by shuffling their pack, removing some brands and picking others.

Last year, Kodak started this high risk game with the sale of its over-the-counter medicines business, Sterling Health, to SmithKline Beecham for \$3 billion. It in turn sold on the Aspirin brand to Bayer, a product the Germans have coveted since it was lost after 1918.

In December, this game of international musical asset

swaps continued with Reckitt's \$784 million purchase of Kodak's household products which included important brands such as Lysol disinfectant and gems less familiar to British consumers, such as Love my Carpet, the rug deodoriser. Within four months, Reckitt has turned about and sold its UK food brands to Unilever for £250 million while the soap powder to ice cream group is passing on the drinks brands, including Robinsons Barley Water, to Bass for £103 million.

If world brands are so fashionable, investors may wonder why Unilever, no amateur in selling brands abroad, is keen to pay as much as £147 million for a few varieties of bottled sauce that generate sales of just £60 million, mainly in Britain.

The answer lies both in the business itself and Unilever's approach to it. Unilever sells ice cream worldwide but has no illusions about world dominance in food. Such products are diffi-

cult to export and Unilever, which has already invested a packet in developing Van den Bergh Foods, sees this as a play on trends in the British food market. Bottled sauces are growing at some 10 per cent a year and Unilever will also save on overheads, using its own sales force for both VDBF and Colman's products. But Colman's is already earning margins of 15 per cent or more and Unilever will have to work hard to make the deal pay at such a high price. The brands may acquire new owners but the consumer is still reluctant to pay more for them.

### Labour's empty chest of ideas

THE most attractive industrial policy ideas current in Britain are probably those espoused by Michael Heseltine. But he has rarely been permitted by Cabinet colleagues to apply



them. Where they have been put into practice, notably in energetic help now given to exporters by the DTI and British Overseas Trade Board, they have been refreshingly successful. Elsewhere, the coal and gas fiascos have said more about the reality than the president's rhetoric.

Gordon Brown's policy offerings do not provide, as yet, a coherent alternative that inspires. The Shadow Chancellor's heralded speech to the Labour Finance and Industry Group yesterday managed to combine a tedious anti-business tone with little substantive reform. This is

strange, because parts of business traditionally hostile to Labour are ready to co-operate. There will almost be disappointment in the City, if not in the regulatory establishment, that Labour is pussy-footing over fully statutory regulation.

Instead, Mr Brown has taken consumer populism as his starting point. In the post-Clause Four Labour Party, this is the politically correct angle from which to attack big business. Mr Brown has adopted criticisms of the present competition laws espoused by Sir Bryan Carsberg, retiring Director General of Fair Trading. They are reasonable, but marginal. A better dialogue with industry should achieve more.

As the Shadow Chancellor himself insisted, however, his main target in this area remains the privatised utilities. This will not help consumers or help to establish a stable regime for great British companies to perform better for the country.

These are early days for Labour policy, but on this showing business should worry lest the details contradict the intentions, as happened so damagingly during the early years of the first Wilson government.

### Balance of embarrassments

DIVISIVE Cabinet debate over whether to cash in a merged Nuclear Electric and Scottish Nuclear is producing bizarre side-effects. Enthusiasts are even floating the possibility of putting off the flotation of Railtrack as a *quid pro quo*. As yesterday's revelations in *The Times* show, this could have much appeal.

Ministers must wait to see if Paul Channon's Transport Select Committee backs a draft report projecting high rail subsidies. But it is plain that privatising Railtrack, and other components of the network with built-in profits, must raise on-going an-

nual public spending. Cross-subsidies within old British Rail are being unwound. If profits go outside the public sector, then taxpayers fork out more subsidy to fund losses. Efficiency gains from reform, which might go straight to the bottom line, must make up for all the privatised profits before annual subsidies fall. If Railtrack stays in the public sector for a few years, without losing much efficiency, gross subsidies should fall faster. If the new system works, there might be genuine tax cuts rather than a one-off, funded by sales proceeds.

Sadly, there are few other arguments for rushing into privatisation of a newly-created nuclear power monopoly, save for the Tory sport of embarrassing Jack Cunningham. Labour's pro-nuclear shadow, Michael Heseltine. If the Trade and Industry Select Committee looked at the financial implications of privatising only the good, saleable, parts of Nuclear Electric, it would probably scare the public more than the transport committee. A frank interview with Andrew Likierman, head of the Government accountability service, would probably not please the Chancellor for a start.

## American deal puts ICI top of the world in paint

By Neil Bennett

ICI is recapturing its position as the world's largest paint manufacturer with the \$290 million acquisition of Grow Group, an American paint company with sales of \$500 million a year.

The deal will increase the turnover of ICI's paints division to more than £2 billion a year and reinforce its position as the second-largest paint manufacturer in the \$18 billion US market, behind Williams Holdings.

ICI yesterday announced that it has signed a merger agreement with Grow's board and is offering \$18.10 a share for the company. The deal has been recommended by Grow's directors, and ICI is buying a 25 per cent stake from Corimon, a Venezuelan investment company, at \$17.50 a share. ICI will finance the acquisition from borrowings.

ICI was the world's biggest

paint maker until the merger of Akzo and Nobel Industries two years ago knocked it into second place. The Grow deal puts ICI back in the lead narrowly in volume terms.

Grow is a leading maker of architectural paints and of specialist coatings for ships and cars. The company also has a consumer products division, which sells carpet cleaners, detergents and aerosol paints. Grow owns 150 trade and retail outlets, which will complement ICI's chain of 450, bought as part of Glidden in 1986.

The company has its headquarters in New York, but its main operations are in Los Angeles, California, and Louisville, Kentucky. The marine coatings division has subsidiaries in Canada and The Netherlands. Grow last year bought Sinclair Paints, in Los Angeles, which is expected to lift the group's sales from \$402

million to more than \$500 million in the current year.

Alan Spall, ICI's finance director, said yesterday that the acquisition would complement ICI's store chain since Grow owns stores in the west and south-east of America where ICI is weak. ICI would continue to seek acquisitions to strengthen its presence in north-east America, he said.

Mr Spall hinted that ICI would complete the acquisition with the disposal of some of Grow's businesses. "It is possible we will dispose of some businesses," he said. "They will be bits that do not fit within the core business."

ICI is likely to keep the Grow name on its stores but ensure that the company has a growing association with ICI and Glidden, both well-known paint brands in the US.

Tempos, page 28

## Nurdin names new chief

NURDIN & Peacock, the cash-and-carry operator, yesterday ended its seven-month search for a new chief executive with the appointment of David Sims (Sarah Bagnall writes).

Mr Sims, 46, joins at a critical time. Profits in 1994 halved to £16.5 million and in March N&P was forced to abandon its Cargo Club warehouse format after disappointing sales. In the same month SHV Makro, a Dutch wholesaler with 14 per cent of N&P's shares, suggested merging its non-food

cash and carry operations with N&P in return for a 50 per cent stake. The board rejected the idea but analysts believe further talks are likely.

Mr Sims replaces David Poole, who resigned in October after a boardroom disagreement over management style. Mr Poole, 51, is taking legal action against N&P for breach of contract. N&P said the issue is unresolved.

Mr Sims joins from Northern Foods, where he had worked since 1987, after 18 years at Unigate.

## C&W takes Israeli stake

CABLE & Wireless gained a foothold in the Middle East market yesterday, filling a gap in its international portfolio with the purchase of a 7 per cent stake in Bezeq, the Israeli telecommunications group, for £63 million (Eric Reguly writes).

C&W said it intends to become a significant minority shareholder in time. An opportunity may come when the Israeli Government, which owns 77 per cent of the company, decides to reduce its holdings.

Lord Young, C&W's chairman, said: "With the development of the peace accord in the Middle East, we anticipate significant growth in the demand for telecommunications in this region as it regains its historic position as the centre of international trade and commerce."

Bezeq, the dominant telecoms company in Israel, is listed on the Israeli stock exchange and had turnover of £1.2 billion and pre-tax profits of £100 million in 1994.

## Peak profits send Sage soaring

By Philip Pangalos



Goldman: confident

SHARES in Sage Group jumped 87p to 915p as the accounting software supplier made a confident statement on prospects after a 71 per cent surge in first-half profits.

Acquisitions and buoyant performances from existing businesses helped pre-tax profits reach a record £11.7 million in the six months to March 31, compared with £6.9 million. Turnover nearly doubled, to £50.6 million (£25.4 million). More than half of group sales are now derived overseas.

Acquisitions made in the past year drove the profits

advance, although organic growth lifted operating profits 45 per cent, like-for-like.

David Goldman, chairman, said that the UK had seen "tremendous growth", margins had improved and prospects looked good. He added: "This year is looking very solid... Although a seasonal bias towards the first half is expected, we look forward to achieving a highly satisfactory outcome for the full year." The interim is raised to 4p (3.65p) from earnings of 37.3p (22.2p) a share.

Tempos, page 28

**YOU DON'T NEED  
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### The Scottish Provident Institution

The 157th Annual General Meeting of members of the Scottish Provident Institution will be held on Tuesday, 30 May 1995 at 12 noon in the Head Office, 6 St Andrew Square, Edinburgh, to consider the Accounts and Balance Sheet and the Report of the Directors and Auditors, to elect Directors, to determine the remuneration of the Directors and to re-elect the Auditors.

Copies of the Report and Accounts are available from this address.

By order of the Board of Directors

G Henderson  
Secretary

6 St Andrew Square  
Edinburgh EH2 2YA  
2 May 1995

This advertisement is issued in compliance with the requirements of The International Stock Exchange of the United Kingdom and the Republic of Ireland Limited (the "London Stock Exchange"). It does not constitute an invitation to the public to subscribe for, or purchase any securities. Application has been made to the London Stock Exchange for the whole of the issued ordinary share capital of TLS RANGE plc (the "Company") to be admitted to the Official List. The shares of the Company are currently traded on the Unlisted Securities Market. It is expected that dealings in the ordinary shares of the Company will commence on the Official List on 4 May 1995.

### TLS RANGE plc

(Incorporated and registered in England and Wales under the Companies Act 1985 - No. 2131552)

**INTRODUCTION  
TO THE OFFICIAL LIST**  
by  
**ALBERT E SHARP**  
of the whole of the  
issued ordinary share capital of  
**TLS RANGE plc**

Authorised Number	Amount	Issued and fully paid Number	Amount
43,000,000	£1,50,000	ordinary shares of 5p each	36,087,946 £1,804,397.30

The Company is engaged in short term and contract hire of cars, commercial and specialised civil engineering vehicles.

Copies of the company listing document published on 1 May 1995 are available during normal business hours on any weekday (Saturdays and public holidays excepted) up to and including 3 May 1995 from the Company Announcements Office, of the London Stock Exchange, London Stock Exchange Tower, Capel Court Entrance off Bartholomew Lane, London EC2N 1HP for collection only, and up to and including 16 May 1995 from the Company's registered office at 82 Church Street, Eccles, Manchester M30 0DA and from:

Edmond House 12 Newhall Street Birmingham B3 3ER 2 May 1995	Albert E Sharp	Moore House 119 London Wall London EC2Y 5ET
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MICHAEL CLARK

## Fears of higher interest rates keep buyers away

FACED with the possibility of another half-point rise in interest rates this week, investors were in no mood to open fresh positions before the forthcoming bank holiday weekend.

Once again London was happy to dance to Wall Street's tune. Prices in the Square Mile made a cautious start, with many of Europe's financial markets closed for May Day. They soon began to gather momentum, reflecting partly the 51-point leap in the Dow Jones industrial average on Friday to a new record high.

But with Wall Street opening lower in early trading yesterday, prices in London again came under pressure and closed below their best.

The FT-SE 100 index, up almost 12 points earlier, saw its rise reduced to 3.7 points at 3,220.4 by the close. Pressure for another rise in interest rates came with the purchasing managers' index, which revealed further inflationary pressures as prices rose to their highest levels since June 1991.

The reluctance of investors to chase the market higher was reflected in turnover that saw just 509 million shares change hands. The figure might have been even lower had it not been swollen by a late program trade.

Among leaders, Glaxo Wellcome, the world's biggest pharmaceutical company, made its bow. It was the culmination of a £9 billion bid by Glaxo earlier this year. The shares continue to trade separately for the time being, but only Glaxo is quoted among the top 100 companies.

There was selective support among the electricity distributors as bid speculation was revived by Southern Electric. It is looking to scrap the recent preventing anyone from controlling more than 15 per cent of the shares. The rule effectively bars anyone from making a bid, and was intended to remain in place until the turn of the century. Southern closed 2p easier, but there were gains for Northern, 9p to 84p, London, 3p to 64p, and Eastern, 1p to 63p.

British Steel firmed 1½p to 170½p as brokers began upgrading their profit forecasts after the recent rise in steel prices.

Tate & Lyle firmed 3p to 437p before figures this week but Kwik Save, also reporting this week, dropped 18p to 571p.



N&amp;P talked takeover with Abbey National yesterday

Abbey National finished its fight at 464p after Peter Birch, the chief executive, met Alastair Lyons, his opposite number at the National & Provincial Building Society, to argue his case for a takeover. No formal proposals were forthcoming but Mr Birch made it clear that he would do so in due course. N&P is keeping an open mind about

shares and is expected to emerge victorious when the deadline for the bid expires at 1pm today. Hopes are high on the German side that Phillips & Drew Fund Management, AAH's biggest institutional shareholder with a 17 per cent stake, will throw its weight behind the offer.

Inchcape, a recent high flyer, added a further 10½p to 640p, while Bass were unchanged at 549p.

Better than expected half year figures sent shares of Sage Group racing up, with a leap of 87p to 915p. The group saw pre-tax profits climb from £6.8 million to £11.7 million. It said the strong performance had continued into the second half. Brokers quickly increased their profit forecasts for the current year, with NatWest Securities raising its figure for the full year from £18.1 million to £21 million.

News of a boardroom shake-up lifted Wats Blake and Bearn, the clay products group, 3p to 489p. John Pike has been promoted from managing director to deputy chairman. He joins Graham Lawson who has been appointed chief executive.

CLIT EDGED: With most European bond markets closed for the May Day bank holiday, prices opened flat and traded in narrow limits. Sentiment was dented by publication of the latest UK purchasing managers' index.

In the futures pit, the June series of the long gilt future touched £103½ before ending the session £1½ easier at £103½, in low volume which saw only 26,000 contracts completed.

Among conventional issues, prices closed mixed. Benchmark Treasury 8 per cent 2013 lost £½ to £96½, while at the shorter end, Treasury 3 per cent 2000 was ½ off at £98½.

NEW YORK: The Dow Jones industrial average was down 12.10 points at midday to 4,309.17 as shares reacted to stronger-than-forecast March personal consumption data, which has reawakened fears about inflation.

329½p. The group is selling its Inchcape Buying Services to Li & Fung, a Hong Kong trading company, for £40 million. The proceeds will be used to reduce borrowings. Sir David Plaistow, the chairman, said that product sourcing played such a small part in the overall business that it became increasingly difficult to justify Inchcape's continued involvement. Inchcape has come up

the society's future strategic direction. Elsewhere on the takeover front, AAH marked time at 435p, awaiting the outcome of the £400 million bid by Gehe, the German group. AAH has fervently rejected the increased terms from Gehe worth 445p a share, claiming that it undervalues the company. At the last count, Gehe held about 30 per cent of the

share price. The FT all-share index (rebased) is shown in the chart below, along with the share price of the FTSE 100.

May Jun Jul Aug Sep Oct Nov Dec Jan Feb Mar Apr May

Share price

FT all-share index (rebased)

May Jun Jul Aug Sep Oct Nov Dec Jan Feb Mar Apr May

Share price

from about 275p since March, bolstered by recommendations from brokers and speculation about a possible bid from Jardine Matheson, the Hong Kong-based group.

Unilever, the Anglo-Dutch food and household products group, is paying Reckitt & Coleman £220 million for Coleman's of Norwich, the food and drinks business famous for its mustard. Last year Coleman's made profits of £24 million on sales of £153 million.

At the same time, Unilever is selling on the Robinsons soft drinks business to Bass for £103 million.

Reckitt shares eased up to 640p, while Bass were unchanged at 549p.

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S&P Composite 514.14 (+0.57)

Tokyo:  
Nikkei Average 16,811.46 (+4.71)

Hong Kong:  
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EOE Index 420.42 (+0.53)

Sydney:  
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Frankfurt:  
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# THE TIMES CITY DIARY

## Getting the inside story

FOR enterprise and effort. I award nine out of ten to a reader who has written asking for our help in securing a free copy of the 1995 edition of the *Lloyds Bank Small Business Guide*. The 448-page guide gives advice for the would-be entrepreneur seeking inspiration in setting up and running a small business, and is published by Penguin Books at £15. Chapters include "Timing the jump", "Beating the pirates", and "Keeping the record straight". Although a free copy was available to the first 300 who telephoned a special number published in *The Times* last week, our reader's number and present address fully explain why he was unable to reach a telephone in time. His current address is: Her Majesty's Prison, Wandsworth. His copy is in the post. It should keep him on the straight and narrow.

## Rich pastures

DEREK Riches, a director of Smith New Court and market-maker in manufacturing and engineering equities, has made a welcome return to City life after an horrendous farm accident last November which left him medically wired up in numerous places. He promised last December that little would stop him talking, and true to his word he is breezily back on the telephone. He said: "Shares in my sector have been dull in my absence, but let's see what we can do about that."



## Call of Cuba

THE call of the Caribbean has proved too much for one City professional, Joe Grahame, 26, ex-Bankers Trust, and recently with J Rothschild Wolfensohn, has just flown back from Cuba where he was arranging the handover of a new school bus to a home for mentally handicapped children in Havana. The bus was part-funded by the J Rothschild Group Charitable Trust and Corporación Cerveza Clara, a European-backed venture that aims to market Cuban beer internationally. His first experience of Cuba has proved addictive — "I couldn't stay in investment banking after that," he said.

## Street cred

JOHN Hinchliffe, harbourmaster at Padstow, Cornwall, says our Saturday report about Herbert Hillebrand, Germany's financially troubled "King of the Castles" brought back fond memories of Grand Bahama Island in the Eighties. Hinchliffe lived on Hawaii Avenue in a property owned by Herr Hillebrand, who had a habit of buying up local houses for cash dollars. So numerous were his acquisitions that the German magnate, it is said, had asked the authorities to change Hawaii Avenue's name to Hillebrandstrasse.

THE one line investment verdict from Paribas Capital Markets on Richard Budge's RJB Mining is: "Investors should beware of pit ponies bearing gifts."

COLIN CAMPBELL

# Will shipyard battle revive Weinstock's taste for BAe?

VSEL is likely to be back in play soon, and GEC could try to buy its rival suitor, says Ross Tieman



Lord Weinstock will soon be free to pursue a 20-year ambition to control BAe, and safeguard GEC shipbuilding

AFTER six months of phoney war, the battle for Britain's defence industry is about to begin in earnest. In the next couple of weeks, Michael Heseltine, President of the Board of Trade, will announce whether British Aerospace and GEC are to be allowed to renew their rival offers to buy VSEL, Britain's only submarine builder.

Shortly afterwards, in June, the one-year voluntary "standstill" agreement, which bars GEC from bidding for BAe itself, will expire. If he so chooses, Lord Weinstock, GEC's 71-year-old managing director, will then once more be free to pursue an ambition that he has held for 20 years — control of BAe. Workers in the defence industry, still Britain's biggest manufacturing sector, can look forward to an exciting summer.

The forces for consolidation in the defence industry are enormous. A combination of stagnant national defence budgets, rising weapon costs, and risk transfer to the private sector is pushing companies to combine forces.

The ultimate question is whether the Government is prepared to allow a merger of BAe and GEC, Britain's two biggest defence contractors, or whether it will try to keep them apart. Until now, the Ministry of Defence has consistently indicated a clear preference to see the two competing for contracts. If they wish to form multinational consortia, or can succeed in acquiring foreign competitors, runs the MoD line, so much the better.

However, the fiction of United Kingdom competition in the largest projects is wearing very thin. That is why the bidding for VSEL, which broke out last autumn, is widely seen as a test of government attitudes.

GEC and BAe originally discussed making a joint offer for the Barrow in Furness warship builder. To promote the open exchange of information about their respective naval activities necessary to such a bid, GEC signed a pledge last June that it would not bid for BAe for 12 months.

However, the talks came to nothing. Much to Lord Weinstock's chagrin, BAe announced an agreed £490 million offer for VSEL on October 12. GEC weighed in a week later with a £532 million cash offer, which was duly topped by a revised £570 million bid from BAe.

Mr Heseltine stepped between them and called a Monopolies and Mergers Commission inquiry. He has been pondering its conclusions since April 12. His decision is imminent.

Few in the industry have any doubt about what will happen. "Both will be cleared; they will both bid," says one of the warship industry's most respected figures. There is certainly no doubting BAe's determination. In March, the company called on shareholders for an extra £385 million of funds to increase its firepower in the bid battle to come.

VSEL is an important asset. Britain now has only two other warship

builders, GEC's Yarrow Shipbuilders on the Clyde and Vosper Thornycroft in Southampton.

Vosper has guarded its independence by building on a strong export tradition to supplement MoD orders. It has a £600 million order book, made up of 14 vessels, providing a steady work flow until 2001. It also has £100 million of spare cash — apparently sufficient for the yard to fund its bid to build the Royal Navy's next three Type 23 frigates and support its ambition to develop a naval services arm.

Vosper's main UK competitor is GEC. Both yards have restricted space. Either will be able to build frigates being designed in the British/French/Italian Horizon programme. However, those ships, each the size of a Second World War cruiser, will be the limit of their capacity.

Only Barrow has the space and facilities to seek the impending £2.5 billion order for five Batch 2 Trafalgar nuclear-powered hunter-killer submarines. VSEL has already won the contract for a helicopter assault ship, is the sole bidder (in partnership with the Kvaerner Govan merchant yard on Clydeside) for two more marine assault ships, and will be front-runner to build successors to current aircraft carriers.

However, to take on all these orders, VSEL needs a parent with deep pockets to fund the risk of being a prime contractor. Should it be GEC, which owns a yard, or BAe, which does not?

In 1990, 22,000 workers built warships in four British yards. Today, the remaining three yards employ fewer than 9,000.

The biggest cost of running a

warship yard is the employees, in particular the naval architects and engineers needed to design vessels, and the marketing department needed to deal with the MoD and sell abroad.

Many in the industry believe that Britain would be better off with just two main yards, spreading their overheads across a bigger volume of work. GEC has promised to keep Yarrow open for seven years if it wins control of VSEL. Lord Weinstock says that he has provided "every kind of guarantee" to the MoD and the MMC.

According to GEC, the prospects of both yards will be enhanced if they can share design and marketing overheads and win more export business.

GEC's success in selling ships abroad has improved in recent years. The company has built two light frigates for Malaysia, based on Britain's Type 23s, and is trying to sell more to South Africa and Finland, after a recent government-to-government memorandum of understanding on defence co-operation.

One industry leader says that if GEC wins, it is "inconceivable" that it would not eventually shut Yarrow. However, what will become of it if BAe wins?

Warship export opportunities are concentrated in the Middle East and the Far East, where newly industrialising countries such as Malaysia, Indonesia and Brunei want modern vessels to back up their claims to offshore oil and gas reserves.

Vosper and GEC already face fierce competition in export markets from Spain and the United States, which can compete on costs, and from France,

where the state-owned defence manufacturing industry can and does offer military hardware at marginal cost, as part of a political policy designed to maintain national capability.

Dutch and German yards have been losing out in recent years because their labour costs are twice those of Britain. VSEL, with BAe at the helm, would not just compete in these markets, but would also bid aggressively to build frigates for the MoD, eating into the core market of its rivals.

Vosper, with its six-year order book, can weather the storm. The battle over VSEL is, therefore, also a battle over whether Yarrow will survive, and whether GEC will remain a prime contractor in warships.

With an election on the horizon, the Government does not want to take the responsibility for what happens to Yarrow through its procurement decisions. That is why Mr Heseltine is expected to clear both bids.

"It is," one industry leader says, "going to be a great battle. Weinstock will never overplay for this. It is much more his style to allow British Aerospace to overplay. But he is now 71. Ten years ago, I would have put my money on him playing a waiting game. Now I'm not sure."

Analysis says that because of the way its tax liabilities are structured, BAe can afford to pay £18 a share for VSEL without diluting its earnings. GEC, at that level, would face penalties. However, with £2 billion of cash in his back pocket, Lord Weinstock could swallow a much larger morsel than VSEL. If the MMC clears him to buy VSEL, why not bid for BAe, too?

# Trading places with WTO's Peter the Great

Colin Narbrough assesses the record of the man who won the Uruguay Round

Peter Sutherland, who handed over the helm of the World Trade Organisation (WTO) to Renato Ruggiero, the former Italian trade minister, yesterday, justifiably feels he has served the cause of free trade well.

But the former Irish Attorney-General and ex-European Competition Commissioner, still only 49, believes that the signing last year of the Uruguay Round treaty on liberalised international trade, and the establishment in January of the WTO, the new trade watchdog, were just a beginning, albeit a decisive one.

He said that when called to Geneva to head the General Agreement on Tariffs and Trade (GATT) in 1993, the whole multi-lateral trading system faced collapse.

The former rugby player's talent for bullying and coaxing negotiators played a key role in securing the world's biggest trade agreement. That opened the way for GATT, a temporary organisation since 1948, to be replaced by the WTO, a permanent institution on a par with the World Bank and the International Monetary Fund.

Mr Sutherland sees the "big challenge" for Signor Ruggiero as having to implement new rules that have extended the free trade principle beyond manufactured goods to fresh territory in services, agriculture and intellectual property. This is expected to boost global income by an estimated \$300 billion in the next 10 years.

Agreement on financial services has yet to be reached and Mr Sutherland sees a danger in the fact that negotiations on a single issue trading no scope for horse-trading so vital to earlier talks.

Another urgent need was to bring the WTO to the big

table to help to reform the way in which global economic co-operation is managed, he said. He has held discussions with the Group of Seven economies about their summit next month.

Possibly because he comes from a small country, Mr Sutherland has been a champion of the developing nations and is keen to ensure that their acceptance of open trade will ensure them a greater say in how the world economy is run.

He said the Organisation for Economic Co-operation and Development (OECD), the thinktank of the richest nations, could not simply go on charting economic change without regard for the rest of the world.

A man who claims he never sought his "big jobs", Mr Sutherland nevertheless sees his vigorous advocacy of free trade at the GATT and WTO as an extension of the same logic that makes him a vigorous proponent of European integration.

As a commissioner in Brussels in the Eighties, he promoted open competition in a pugnacious fashion that surprised corporate Europe. The reputation he earned probably clinched his selection to finish the Uruguay Round.

Mr Sutherland, who was nicknamed "Peter the Great" by one GATT envoy, accepts that political events were crucial to the world trade agreement.

The collapse of the Soviet Union brought about a recognition that we were going to be a global market," he said. "And it was recognised that competition was the key to a global free market."

Mr Sutherland has no illusions about the creation of the WTO meaning the end of trade disputes. "But," he said, "it will channel tensions."



Renato Ruggiero, left, and Peter Sutherland

## Economic reforms needed to counter strong franc policy

From Mr Rupert Swyer  
Sir Anatole Kaletsky (April 20), makes some telling points about the impending French economic policy crunch. Unfortunately, he barely mentions the "real" economy. For years (at least since 1979 to my certain knowledge), senior figures in the monetary policy establishment have been calling for faster deregulation, improved education and training,

tax reform and the reduction of subsidies.

They have argued that these are the vital counterpart to the strong franc policy — without them, efforts to shadow the mark would produce the shambles into which France has blundered. A recent report to the Prime Minister by the French Planning Commission reiterates many of these recommendations with considerable urgency. It remains to be seen if the next president, Chirac or UN Autre, will have the perspicacity, courage and political skill to push through such changes in the teeth of fierce opposition from many sectors of French society.

Yours faithfully,  
RUPERT SWYER,  
80 rue du Faubourg Saint-Antoine,  
75012 Paris.

## The alternative levers of control

From G. P. Hewlett  
Sir, There is a distinct possibility that in the current global currency crisis the Bank of England may have to raise the bank rate to support sterling. However, the bank rate is the one and only lever used for the engine of protecting sterling, easing inflation and controlling the economy generally.

Defending sterling by raising the bank rate adversely affects our fragile recovery. Conversely, easing the bank rate to boost the economy endangers sterling.

As we are in unconventional times we must adopt an unconventional model of control. One such new model would use more than one lever which will allow a wider range of options together with finite control over various financial activities. The three levers would be the headline rate of interest; the intermediate rate of interest; and the discount rate of interest. The headline rate would apply to currency and securities. The intermediate rate would apply to personal loans, credit cards, credit sales and similar transactions and would be the basic weapon against inflation, allowing excess demand to be throttled back. The discount rate would apply to business and investment loans as well as to domestic mortgages.

By separating these activities there would be stability of interest rates for the most vital factors of our fledgling recovery, without the fear of rising inflation.

I hesitate to suggest that this is the perfect model, and am quite prepared to be shot down in flames. Yours faithfully,  
G. P. HEWLETT,  
80 George Street,  
Reading, Berks.

## Facts behind BA's scaremongering over Terminal 5

From Councillor Barbara Reid  
Sir, Sir Colin Marshall, chairman of British Airways, is indulging in the usual unnecessary scaremongering we have come to expect from supporters of a fifth terminal at Heathrow when he says he is searching Europe for a "second home" should Terminal 5 not go ahead. He should instead look east to the greatly under-utilised Stansted where I am sure he would be greatly welcomed by British Airports Authority.

On the other hand I thank Sir Colin for his comment that without Terminal 5, 30 million people would be prevented from using Heathrow as this bears out opponents' greatest fears of just how big and

intrusive T5 would be. Sir Colin's comments that no second runway would be needed (presumably he means a third runway as there are already two) and that noise levels are falling all the time are equally flawed. In ruling out (only) the RUCATSE (Runway Capacity in the South East) proposals for a third runway the Secretary of State for Transport also requested investigation into optimising the use of existing runway capacity. To us locals this means only one thing — the end of the current alternative which gives us periodic welcome relief from aircraft noise.

As for falling noise levels, nothing can get away from BAA's own estimation of an additional 40,000 aircraft

movements per year with T5. As for the economic benefits, these have by no means been proved but even if they were, planning always balances these with the environmental impact. If Sir Colin received notice of a planning application for a noisy, polluting, night-disturbing operation at the bottom of his garden he would be quite right to oppose it regardless of how many jobs it created. If I was his local councillor I would support him because I would know exactly how he felt.

Yours faithfully,  
BARBARA REID,  
London Borough of Hounslow,  
Civic Centre,  
Laughton Road,  
Hounslow.

## The VAT man giveth

From Mr Alexander Adams  
Sir, I suppose I should not be surprised. The Inland Revenue has just decided that part of the VAT which sports clubs finally retrieved from 1990 will be subject to Corporation Tax. The VAT man giveth, the Revenue man taketh away. Yours faithfully,  
A. G. J. ADAMS,  
12 Wardlaw Drive,  
Rutherglen, Strathclyde.

## Modest building society enterprise

From Denis Christian  
Sir, B. C. Barton (Letters, April 25) refers to the salary of the chief executive of the Northern Rock Building Society as being of £300,000 and goes on to describe that institution as being "a comparatively modest enterprise".

The Northern Rock can be just a little immodest in its behaviour, and it may be that the executive is being rewarded for his sheer effrontery in being able to get away with charging arrangement fee, actuaries fee, completion fee, new insurance and valuation fee on what was, in effect a reduced replacement loan on moving house.

Yours faithfully,  
DENIS CHRISTIAN,  
37 Swanscombe Road,  
Chiswick.

## BIRTHS

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# Lighting up the stars

**BY STEPHEN COURT**

IN SEVEN years. The Spot Company has grown from a two-man outfit to a sophisticated million-pound business providing lighting for performers as diverse as Prince, Meatloaf and Torvill and Dean.

As well as working on live shows in Britain and abroad, the company has recently branched out into lighting for exhibitions, conferences and parties. Its work has included the Peugeot stand at last year's Motor Show, and the launch party for the film *The Lion King*.

The Spot Company, run by Peter Miles and Ben Sullivan, also hires out lighting equipment. It is based in west London at a warehouse which is a labyrinth of spotlights, cables and lightline consoles.

Mr Miles says: "We have been lucky that things have happened just at the right time and we have taken a lot of risks. We have invested heavily in new equipment, which has given us a reputation for being at the forefront of lighting technology. This, in turn, has meant that people bring new technology to us, which helps us maintain our position."

Mr Miles, 38, started The Spot Company in 1988 with a business partner who has since left. They bought two "follow spot" lights, at £7,500 each, and set up their own lighting company. It now claims to be one of the biggest stockists of intelligent lighting systems in Europe. "We bought the two for the Supertramp tour of 1988 - I borrowed £4,000," says Mr Miles.

Peter Miles, left, and Ben Sullivan, of The Spot Company, say they are learning all the time.

"The company has never had any external capital since we put in £7,500 each. It has a £25,000 bank overdraft limit."

He says that relations with the company's bank are not always easy. "This is a difficult business for the banks to understand."

Turnover for the year to April 1990 was £77,000, and rocketed to £445,000 by April 1991. By 1994, it was £1.1 million, and is set to reach £1.7 million this year. Touring

The third quarter of business comes from equipment hire. Special events, such as parties and fashion shows and award ceremonies account for a further 15 per cent, and the remaining 10 per cent comes from television and the theatre. The Spot Company em-

plays 14 full-time staff and about 25 regular freelance staff. In March, the company issued 100 shares. "We hope to sell these to employees in the coming year," says Miles.

The company has reduced its exposure to bad debt and established tighter controls. But Miles says: "We would not be in our present position if we had not taken risks. We are learning all the time."

Proposals by Centec and Solotec training and enterprise councils in central and south London, to take over boroughs covered by the defunct South Thames Tec have been accepted by the Government. Lambeth and Southwark are now covered by Centec and Lewisham and Greenwich by Solotec.

□ Hereford and Worcester Tec's small business of the year award has been won by Rubber Stampede, importers of graphic rubber stamps. Best new product was a crop sprayer developed by Micron Sprayers of Bromyard.

□ Gloucestershire Development Agency will attempt to attract investors and businesses in a presentation at the Nuclear Electric headquarters in London tomorrow. Speakers include the Duke of Gloucester.

☐ National Westminster Bank has cut charges to small businesses for automated entries, such as standing orders and cash machine withdrawals, from 67p to 40p per item.

□ Small businesses are benefiting less from economic recovery than large companies, says the third annual report of the European Commission's European Observatory for Small and Medium Enterprises. They are held back partly by shortages of appropriate skilled labour, the report says. They win few public contracts in other European Community countries because of language barriers, cultural differences and poor knowledge of foreign markets.

# BUSINESS TO BUSINESS

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## Government Acts

### Construction Related Services

Provisions of the Local Government Acts 1988 and 1992 relating to Service Directive 92/50, the Authority invites suitably qualified and experienced organisations for Construction Related Services for the non-Housing services property design, property maintenance, and valuation services. Organisations may express an interest at any time.

On 1st April 1996 for four years with an option for a further period of one or two years.

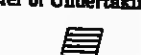
Comments are invited in a letter available from the Head of the Construction Services, London Borough of Enfield, 100, River Street, Enfield, Middlesex, EN1 3XS, enclosing a letter to London Borough of Enfield, in order to assist in the preparation of a specification. A copy of the specification is available free of charge from the above comments on the specification to be forwarded, with a cheque for £400 hours on 16th June 1995.

Comments are available for inspection, preferably by prior appointment, from 2nd May 1995 to 16th June 1995 between 10.00 Monday to Friday at the above address.

Comments to the Official Journal of the European Communities

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## ■ VISUAL ART 1

A walk through the valley of shadows, in Sir Ernst Gombrich's superb National Gallery show

## ■ VISUAL ART 2

Nicholas Serota explains why the Tate is launching a new space for new art today

THE TIMES  
ARTS

## ■ VISUAL ART 3

... and if it's 'Wednesday' it must be a quirky collection of installations in Bermondsey

## ■ RECITAL

Sir Georg Solti turns promoter to present two rising pianists in superb form at the Wigmore

## Darker truth beyond the scene

Richard Cork reviews Sir Ernst Gombrich's fascinating National Gallery show, surveying the ways in which great artists use shadows.

Shortly before he died, Francis Bacon told me with great conviction that "if you really love life and things excite you, you're walking with the shadows of its opposite: you're walking with the shadow of death all the time". Shadows recur in Bacon's paintings, their sinister presence powerfully bearing out his own words. They also help to explain why he was so obsessed by Van Gogh's *The Painter on his Way to Work*, where Vincent's shadow lies corpse-like across the empty rural path — an eerie presentiment of his suicide in the country two years later.

Neither Bacon nor Van Gogh is included in the National Gallery's *Gombrich on Shadows*, an exhibition surveying the depiction of cast shadows in Western art. But their absence does not detract from the fascination of Gombrich's superb show. Depending largely on images from the National Gallery's collection, it is a concise, perpetually informative revelation. Even the most familiar pictures are seen in a fresh light, as we might expect of our most distinguished art historian. He convinces us that we have never looked at these images hard enough.

Although Piero remarked long ago that "painters see more in shadows and protrusions than we ever do", many kept the cast shadow firmly out of their work. Perhaps they had no wish to disrupt their pictures' harmony. Even when Moroni decided to include one in his suave full-length *Portrait of a Gentleman*, he made sure that the shadows remained an understated presence. One of them escapes like a mysterious trail of smoke from the man's left foot, while the other hugs the contour of his right leg before merging with the subtly graduated shading on the broken column beside him.

Less than half a century after Moroni's carefully modulated portrait, Caravaggio swept caution aside. Seeking to inject the maximum amount of theatricality into *The Supper at Emmaus*, he let his large canvas become a battleground for conflicting shadows. Some dance around

Christ's curiously feminine face, as if to confirm that he had recently emerged from the darkness of the tomb. Others spurt from the base of the bread, chicken-dish and fruit-basket assembled on the tablecloth like props spilt on a brilliant white stage. But the most dramatic one is hung across Christ's body by his outstretched arm. It falls from armpit to waist, fortifying the urgent authority of his gesture and, at the same time, directing attention towards his other hand hovering in benediction over the food.

Caravaggio's audacious use of extremes in light and shade revolutionised Western art. His influence spread across Europe, and in this exhibition Rembrandt stands out as his greatest beneficiary. Look at the right hand in Rembrandt's etching of Jan Cornelisz Sylvius. In order to stress the preacher's eloquence, Rembrandt goes even further than Caravaggio and lets the hand burst out of the picture's oval frame. Fingers and thumb cast an exclamatory shadow on the blank paper beyond the line containing the portrait. They emphasise Sylvius's energy, beseeching his congregation to act on the principles of the faith he propagates.

Still more arresting is a deceptively small panel of *A Man seated reading at a Table in a Library*. Today scholarly opinion considers that it is the work of a Rembrandt "follower", but the painting remains impressive. The studious man and his hefty books are reduced to tiny silhouettes, leaving much of the picture-space to be invaded by light from the tall window above. Incandescent on the wall, the radiance throws a complex network of shadows across the dusty white plaster. They appear to challenge the reader, tempting him to turn away from his research and enjoy the sun outside. But they also act as a reminder of time, mocking him with a sign of how quickly shadows change as day gives way to night.

While Caravaggio's influence was at its height, European artists produced many of their most compelling shadow images. Hendrick ter Brugghen's *The Concert* seems at first to savour the intimacy and shared pleasure of three performers. But then we notice the uneasy expressions of the outer two, glancing over their shoulders as though expecting an intruder. Ter Brugghen accentuates the suspense by making two candles cast dramatic shadows over the room. They rise like spectres behind the central boy, who seems unaware of anything save the score he grasps.

But the most startling shadow is cast on the cheek of the flute player. It seems his flesh as brusquely as a smudge of soot, reinforcing the picture's ominous mood with an intrusiveness that would have been unthinkable in paintings before Caravaggio.

All the same, the relatively discreet use of shadows in the earlier exhibits did not prevent some artists from producing marvels. What Gombrich calls an "attached shadow" can be found delicately trailing



Hendrick ter Brugghen's *The Concert* seems innocuous at first. But then we notice the uneasy expressions, and the shadows rising like spectres

from a fly, placed by a deft Swabian painter on the elaborate headpiece of his female sinner. Although the insect could be seen as a blemish, sullied the headpiece's bleached purity, its skillful depiction must have gratified the unknown woman.

We can imagine her smiling at the ingenuity of this medicinal pictorial conceit, just as the original owner of Antonello da Messina's *Christ Blessing* would have relished the illusionism of the paper pinned to the foreground ledge. Shadows play a decisive role in persuading viewers that the paper's creased, projecting edges are real. In Antonello's day they may well have gasped at this exercise in *trompe l'oeil* guile.

Ultimately, though, technical feats of this kind are less rewarding than the shadows which enhance a painting's expressive eloquence. In Sassetti's magical panel, the

stigmatisation of Saint Francis is presented with hallucinatory conviction. The fiery apparition in the sky irradiates the desert landscape with supernatural heat, causing Francis to sway back from his irresistible force. He is a man transfixed, and a dark green shadow seems to ooze out of him in direct response to the divine assent puncturing his upturned hands. Undulating over the parched ground, this lurching, unpredictable shape heightens the unreality of the saint himself.

In Masaccio's great altarpiece from Pisa, by contrast, shadows help to convey rock-like grandeur. The looming Virgin who supports a bearded child on her lap inhabits a throne of monumental proportions. Not only does Masaccio emphasise its depth with an innovative use of receding perspective; he also makes one wing of the throne cast a dark shadow across its back. By

situating her so firmly within this deep space, he ensures that the Virgin's bulk is made even more palpable. And she, in turn, throws a very persuasive shadow on the throne's other wing, as if to prove the reality of her earthly existence.

Renaissance portraits often placed shadows on the walls behind their sitters for similar reasons. In Germany, the Master of the Mornerer Portrait employs the device to give his painting of the frowning, jowly and furrowed Alexander Mornerer a still greater degree of bulky conviction. Holbein may have wanted to make his full-length image of Christina of Denmark equally plausible. Her shadow makes clear that she stands cool and alert well in front of the green wall, without any need to rely on it for support.

The longer we look at his dark presence behind the demure Duchess, though, the more disquieting it becomes.

Christina is still dressed in a mourning dress devoid of ornament, testifying to her husband's death three years before. She seems to have emerged from the bereavement unmarked, but the shadow suggests a very different woman, still burdened with grief.

In that sense, the lurking shadow threatens to undermine Christina's poise — just as the skull inserted so shockingly in Holbein's double portrait of *The Ambassadors* mocks the two men's splendour with its reminder of mortality and the grave. Bacon may be missing from this memorable show, but his insistence on "the shadow of death" cannot be evaded.

● *Gombrich on Shadows* is at the National Gallery (0171-839 3321) until June 18. An accompanying book, *Shadows: The Depiction of Cast Shadows in Western Art*, is distributed by Yale University Press (£5.50).

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## The Tate finds space for the new

Despite public assumptions to the contrary, the Tate Gallery has a patchy record on contemporary art. There has just not been enough contemporary work at the Tate to encourage any real discussion, and recent attempts to steer the Turner Prize away from immediate associations with novelty and fashion reflect a recognition of how serious the situation has become.

Although the Tate found sponsorship, on and off, for displays of new art during the

Sacha Craddock reports on why the nation's home of modern art had to make room for the contemporary

1980s, it is necessary to look back to the 1970s for real evidence of a lively relationship between the Tate and the art of the time.

Each one-person show by an established artist carries its own rationale. An expensive catalogue reflects extensive academic research and guaran-

tees the work to be already part of history. The smaller, single-gallery showings for established British artists such as Bridget Riley and the current one for Bernard Cohen do the same, but to a lesser extent. Until, and perhaps even after, the split between the gallery's twin functions takes place — and the Tate Gallery of Modern Art opens at Bankside, leaving the Tate Gallery of British Art at Millbank — there is much to be done.

Nicholas Serota says that when he first arrived as director of the Tate his priority was to get the permanent collection on view. The various modern and historical collections that make up the bulk of work shown and stored had to take precedence over the new. The closer you come to the present, it seems, the more problems there are.

The Tate has to be wary of making obvious endorsements: not only is there a shortage of money, but as a purchaser the gallery carries a disproportionate potential influence. Should the very new be purchased? Should everyone wait? Does experience deserve greater recognition? Not all contemporary art comes in convenient packages anyway. Artists make installations and films; they do performances, collaborate and hunt in packs.



Serota: trying to showcase new as well as old new

It would be inappropriate for the Tate to function in exactly the same way as such public showcases for new art as the Serpentine, the Camden Arts Centre or the Ikon gallery in Birmingham, and it would be wrong for it to act as an outpost of a commercial gallery. Serota says, though, that "the Tate does have a responsibility for the way contemporary art is seen".

So the creation of a permanent new space for contemporary work at the back of the main building is a timely recognition of a need. Although Serota says that for the last four years he has wanted to show a broader range of the newest art, "it is not the Tate's purpose to discover young artists that have never been heard of, but instead to show serious work; to show the concerns of artists working today in Europe, America, this country and elsewhere". He wants also to give "the younger curators a chance to work

with younger artists, which hasn't happened before, except on the Turner Prize".

Frances Morris — who, with Sean Rainbird, will be selecting the displays — says that it is important that they get the atmosphere right. They must be able to generate excitement about the subject. Shows will last only six weeks and the turnaround between them will be just two. Instead of individual catalogues, there is to be a small publication with a survey at the end of each year.

The first show, of a video installation by Matthew Barney, is unusual in that it is already owned by the Tate. In future, artists will be invited to respond to the setting: much of the work will not be complete until it is opened; and it will not necessarily be purchased.

It is time for less polarisation, for visitors to feel able to question whether something is good art, rather than whether it is art at all. Serota's desire "to do a lot, so that people get used to it" is an attempt to redress the balance and begin to shift attention away from concentration on the use of strange and unusual materials. The hope is that the range of media used over the next four shows (video, wood, sculpture, glass and sound, and lead-casts from Barney, Marc Quinn, Genevieve Cadieux and Miroslaw Balka) will come to seem unimportant. As Serota says, perhaps the response will soon cease to be "Wow! Gosh! The Tate is showing a video! Does this mean the end of painting?"

● Art Now opens at the Tate Gallery (0171-887 8000) tomorrow

## RECITAL: Two fine pianists take flight from under Solti's wing

A NEW age of old-style private patronage seems to be dawning. Last week, Steven Isserlis brought a fellow cellist over from Russia and, on Friday, Sir Georg Solti presented two young pianists he favours in a joint recital at the Wigmore Hall.

This was a nice balance of understating and personal imprimatur. Solti, I was told, "wanted Patricia Pagny and Lora Dimitrova to appear with his support". But, with substantial careers and prizes already behind them, one wondered if there might not be more deserving candidates lurking somewhere. Either of these could and should have had a complete Wigmore recital to herself.

But be all that as it may, the contrasting passions of these two pianists certainly made for a stimulating evening. Dimitrova is the easier musician to listen to, the less volatile and doubtless, in terms of agents' schedules, the safer bet. She played Beethoven's 32 Variations in C Minor with both fiery impulse and the aplomb that comes from long, meticulously trained thinking and fingers. The alternate separation and blending of colour and tone in her Ravel *Oiseaux tristes* was perfectly judged; her Chopin Ballade No 4 lyrical enough to make an audience feel as if it were eavesdropping, yet free and confident enough in its more overt virtuosity to communicate head on.

Pagny is more of a maverick. I found her Scarlatti sonatas entirely compelling; this exploitation of the vibrant,

perceptive qualities of the piano, combined with a slightly choppy, idiosyncratic rubato, is all too seldom dared. And it is just what this entirely original, Hispanic writing cries out for.

Patricia Pagny and Lora Dimitrova  
Wigmore Hall

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A similar bright, densely focused sound was put to more lyrical use in Pagny's Chopin Sonata in B flat minor. Here, her heightened accents and tussling rubato bordered on the eccentric. But rather than the mollifying effect of playing of a more conventional, less searching beauty. This piece should still be able to shock; in the menace of the recurring five-note motif, and the numb intensity of the funeral march, Pagny made sure it did.

HILARY FINCH

THE TIMES  
Your chance to win the new £16,000 MGF

Since it was first shown at the Geneva Motor Show in March, more than 500 orders have been placed for Rover Group's new MGF. *The Times*, in association with Rover, is offering readers the chance to beat the queue for one of the first sportscars off the production line. Simply collect six of the tokens appearing every day in *The Times*. Token three appears right.

Attach the tokens to the official application form, which will appear every Saturday in *Car 95*. You may enter as many times as you wish, but all entries must be on the official form.

The competition closes on May 27. The winner will be chosen from all entries received by that date and the car will be available for delivery in September 1995.



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## TONIGHT

With its patron, Princess Caroline, in attendance, the Monte Carlo Ballet begins a week at Sadler's Wells

## TONIGHT

Homage to Henry: at the Purcell Room, more new works for viols inspired by the Baroque genius

## THE TIMES ARTS

## OPERA

With a cast hired from all corners of the world, Scottish Opera stirs the blood in Verdi's *Forza*

## CONCERTS

Susan Gritton adds her eloquent soprano to a programme of music from the Baltic states

## Global force to be reckoned with

After casting the Cardiff Singer of the World (1991), Lisa Gasteen, as Leonora in this revival of Verdi's *Forza*, Scottish Opera appeared to have scoured the rest of the globe for those around her. Gasteen, Australian, is joined by a Chinese tenor, a Russian baritone and an Italian bass. Elijah Moshinsky's production is now in the hands of Roberto Goldschlager, born in Argentina and now resident in Germany.

Maybe rehearsals sounded like the Tower of Babel. Certainly all the principals took time to find their best form. They were greatly helped by Richard Armstrong, one of our best Verdi conductors, who started with a typically rounding account of the overture, then held back his orchestra for an act or so while his singers established themselves. After they did, revealing a quartet of extremely powerful voices, he let rip his players and his much improved chorus to stirring effect.

Since Cardiff, Gasteen has become an experienced Verdi soprano. Her voice has strength throughout an equally impressive range. The no-nonsense delivery, usually from the front of the stage, has something in common with Joan Hammond, her compatriot by adoption if not birth.

Leonora spends most of the opera in a distressed state and never more so than in the final act when she prays for peace, which she quickly gets by being stabbed by her brother, Carlo. Gasteen filled *Forza*, *Il Trovatore* with a very Verdian despair that proved she is much more than a soprano able to crack out the fortissimo.

Deng, as the equally unhappy Alvaro, showed at his best during the

## OPERA

## La Forza del Destino Theatre Royal, Glasgow

heroic moments. His moon-faced features do not exactly suggest the Incan son Verdi wanted, but he is an exotic presence among the Spanish forces and the outsider stipulated by the libretto.

Scottish Opera, like Verdi himself, has had second thoughts about *Forza* and has now ditched the first St Petersburg version in favour of the Scala reworking, with one exception. The Petersburg Act III has been retained, which puts extra weight — and an extra aria — on the tenor. Deng, coping with this excellently and would be well worth hearing as Manrico.

Vladimir Redkin, Don Carlo, comes from the Bolshoi and is a handsome presence, if an overly stolid actor. Even someone less quick-witted than Preziosila (a spicy, gung-ho performance from Clare Shearer) would have spotted that he was no student during the boozing at the inn of Hornachuelos. But give Redkin an aria such as *Un'fausto* and he shows what he can do.

The two monks were excellently contrasted. Riccardo Ferrari delivered Padre Guardamini's pieties in a rich, gritty bass and Jonathan Veira as the ruffian Melitone flashed the whites of his eyes in a way to put even Robert Newton to shame. *Forza* in Italian full of musical punch.

JOHN HIGGINS



In the hands of fate: Lisa Gasteen as Leonora and Deng as Alvaro in Scottish Opera's stirring *Forza del Destino* in Glasgow

## LONDON CONCERTS: Less is less from Arvo Pärt; orchestral ambitions from Michael Nyman

## Minimal differences

Lovers of minimalism might have expected a feast in Saturday night's three-part programme at the Queen Elizabeth Hall by the Hilliard Ensemble. In fact, they had a long time to wait, for only one of the 13 pieces in this "Emerging Light" concert of Baltic composers — Arvo Pärt's *Stabat Mater* — really qualified as minimalist in the generally accepted sense, and that was the last piece in a programme lasting the best part of three hours.

The *Stabat Mater*, premiered by the Hilliards in 1985, was, for this listener, the least interesting work given. One can admire the expressive economy of its word-setting, and the undeniable aura of devotion it conjures. David James and Roger Croft, Crump were joined by the soprano Susan Gritton, violinist Gustav Clarkson, and cellist Jane Salomon all making eloquent contributions. But it left me cold, in a way that no other piece did.

Minimalist in the best sense was Pärt's more recent setting of a passage from St Luke's Gospel: *And one of the Pharisees. Here the lines undulate with a freedom that recalls plainchant; harmonies are spare but supremely effective, and the piece ends with bare*

octaves that the Hilliards are able to invest with a world of meaning. A major chord would have seemed outrageously hedonistic.

The other memorable item in the programme was Three Poems by the Latvian composer Peteris Vasks, a South Bank Centre commission given its world premiere here. These settings of words by Czesław Miłosz are again notable for the purity of their utterance, and again look back to the style of an earlier era. There is also an infusion of the folk spirit, and elsewhere some stunningly novel vocalising, such as in the half-whistle of two voices against sustained chords.

Kullervo's Message (British premiere), by the Estonian Veijo Tormis, effectively incorporates motifs from Karelian runic songs, while the quasi-Renaissance harmonies of his *Navigatio Cantoris* are closer to the songs from the 16th-century Scandinavian collection *Piae Cantiones*, seven of which were used to set a suitably contemplative mood for the evening.

Early music from closer to home was heard the previous

evening in a Purcell Room concert by the Dufay Consort. The Consort, a talented ensemble of five male vocalists, presented a selection of occasional and ceremonial motets written for dukes, doges and the like, mostly from anthologies compiled in the Veneto in the 1420s and 1430s.

Among the composers represented were Dufay and Ciconia, the latter coming from the generation between Machaut and Dufay, and embracing the tradition of the Italian motet. Unfair as it would be to compare the Consort with the vastly more experienced Hilliards, they performed completely at home in this repertoire.

The Consort's director, Gary Cooper, interspersed some keyboard solos from the *Faenza Codex*, achieving some idiomatic phrasing and articulation from a miniature table organ by Noel Mander. A steady wind supply was obtained by one of the singers working a hand-bellows; he rightly took his bow along with the player.

BARRY MILLINGTON

Nor of a single musically sensitive friend of mine has ever expressed real sympathy with Michael Nyman's music outside the context of cinema. But plenty of people will find their shelves with Nyman CDs. The man, his music, his Band, and now his Michael Nyman Orchestra (chamber orchestra would be a more accurate description), which made its official debut at the Festival Hall in the last of the South Bank's Nyman series, are clearly cleverly marketed.

Nyman has complained about unsympathetic British critics, but how is a critic to sympathise with music that so often demands the suspension of his or her basic listening skills if it is to be tolerated at all? As a colleague elsewhere suggested, only those who have never known anything better could think that Nyman's music represents any kind of summit.

But did not this critic write sympathetically about something on disc recently? He did, trying to understand the poor misunderstood artist's notoriously objective, disinterested way with word-setting. Treat

words that way once and you are perhaps asking a pertinent question. But treat them like that again and again, as Nyman does in *The Self-laudatory Hymn of Innanna* and *her Omnipotence* (1992), and in *Six Celan Songs* (1990), and your listeners inevitably begin to wonder if you are afraid of expressing anything. True, in the Celan settings there are debits to Mahler; intriguingly dark textures sometimes encourage the hope that there will be some genuinely emotional, psychological exploration. But whenever that threatens Nyman draws back, resuming his usual melodic meandering or tired harmonic formulae.

The same applied to a new piece, the Harpsichord Concerto based on two solo harpsichord works called *The Convertibility of Luis Strings* (1994). At first I was greatly encouraged as Nyman set up a rough, metrically askew, harmonically discordant dialogue between his soloist, the marvellous Elisabeth Chojnacka, and his orchestra. But Nyman avoids the interesting in itself of the hook through the convenience of his abrupt intercutting. The music's potential is lost.

STEPHEN PETTITT

## LONDON

**LES BALLETES DE MONTE CARLO** A LES BALLETES DE MONTE CARLO, a young company making its British debut, will perform the first of Jean-Christophe Maillot's dramatics in the programme, which includes Michel Fokine's *Scheherazade*. Balanchine who began his career at Monte Carlo in 1929, followed by his Gertrude and the Fool, and his *Les Ballets*, will perform *Home Sweet Home*. Princess Caroline of Monaco is patron and will attend tomorrow's gala.

**SADLER'S WELLS** Rosemary Avenue, EC1 (0171-715 8000). Tonight-Fri, 7.30pm, Sat, 2.30 and 7.30pm (S).

**BOLSHOI RETURNS** Two new orchestras — the London Philharmonic and the Royal Philharmonic — come together under Sir Georg Solti's baton to play a gala concert in aid of the respective benevolent funds. The music-making should be quite something, with Beethoven's Symphony No 7 and Bartók's Concerto for Orchestra on the agenda.

**FRIETWYK** Modern composers inspired by Purcell's *Fantasia* were new pieces for the new concert. Frietwyk, as part of the Purcell anniversary celebrations, Counterpoint Michael Choir and intense light North point.

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**EYES WITHOUT A FACE (18)** Welcome return of Georges Franju's haunting horror film on skin grafting, made in 1959, with Pierre Brasseur, Aida Val, and Jean Seberg. (0171-330 3477).

**LEGIONS OF THE FALL (15)** Bopis about a Montana family early in the century. With Brad Pitt, Adam Driver, Anthony Hopkins, Julia Ormond, and Hervé Villechaz. Director, Edward Zwick. (0171-438 8881). Mosaic Cinema (0171-352 5388). Notting Hill Cinema (0171-737 6705). Odeon Kensington (0171-436 1456). Picture Palace (01426 914501). Swiss Cottage (01426 914508). UCI Whiteleys (0171-732 3332).

**THIN ICE (15)** Gaudy but avert French film about a Londoner's life. With Catherine Feller and Søren Sørensen. Mosaic Cinema (0171-352 5388). Notting Hill Cinema (0171-737 6705).

## TODAY'S EVENTS

A daily guide to arts and entertainment compiled by Kris Anderson

**Purcell Room, South Bank, SE1** (0171-928 8800). Tonight, 7pm.

**ELSEWHERE** LANCASTER A unique Anglo-Russian co-production, more than two weeks in the making, comes together to tell the story of a Russian company that integrates English performers to tour the world.

**SADLER'S WELLS** Rosemary Avenue, EC1 (0171-715 8000). Tonight-Fri, 7.30pm, Sat, 2.30 and 7.30pm (S).

**BOLSHOI RETURNS** Two new orchestras — the London Philharmonic and the Royal Philharmonic — come together under Sir Georg Solti's baton to play a gala concert in aid of the respective benevolent funds.

**FRIETWYK** Modern composers inspired by Purcell's *Fantasia* were new pieces for the new concert. Frietwyk, as part of the Purcell anniversary celebrations, Counterpoint Michael Choir and intense light North point.

**AFTER EASTER** Religious visions prelude a Catholic Ulster woman's break-down in Anne Devlin's only contemporary moving drama. P.L. Baric, St. John's, EC2 (0171-638 8891). Tonight-Thurs, 7.15pm; Fri, Thurs, 7pm (S).

**THE DUCHESSES OF MALI** Juliet Stevenson and Simon Russell Beale in Webster's tragedy of incest, murder, and the battlefield of the mind. Philip French directs Greenwich Theatre's first-out success.

**THE GREEN PARAKEET** Return of the author's original production of a play in a pub theatre, in Paris on the day in the British Isles. The clash between reality and prejudice, anarchy and order.



THEATRE

Jude Kelly could be the first woman to run the National. But first, a job is still to be done in West Yorkshire



EDUCATION

Put arts back into the classroom: Sir John Harvey-Jones argues that the stress on science has gone too far

THE TIMES ARTS



DANCE

Lea Anderson's new work is a rather modest evocation of the bright lights of Las Vegas

JAZZ

'We're gonna play something funky,' said saxophonist Maceo Parker to the Blackheath crowd — and he did

# Jackpot stays in the corner of Kelly's eye

Andy Livender discovers why Jude Kelly would think twice about taking over at the National Theatre

When Richard Eyre announced his intention to stand down as director of the National Theatre in 1997, the chatter started immediately. Who would replace him? Perhaps Nick Hytner, director of *Miss Saigon* and *Carousel*? Or a whiz-kid such as Stephen Daldry, director of the Royal Court? And what about Sir Ian McKellen as a actor-manager? Dissenting voices commented that all the above have no substantial experience in running a high-profile venue.

But what about a woman, with a proven track record as a director? One who steers an increasingly successful theatre, who declares that her overriding interest is in work which contains a "moral debate", and who is sharp and articulate in public?

Jude Kelly, in her early forties and laced to be at the peak of her powers. You may have heard her recently on Radio 4's *Start the Week*, or seen her a couple of months ago on BBC1's *Question Time*. Good practice you would have thought for possible future employment as the figurehead of British theatre.

"Very often people in the arts get marginalised as 'lurvers'," she says. "Actually some of the issues we're dealing with — how you develop citizens, how you create a civilising environment — are ones that must be spoken about on public platforms. So going on *Question Time* is saying: 'Here's theatre director and she has the same right to have a view as the director of the CBI'."

Kelly is artistic director of the West Yorkshire Playhouse, in Leeds. In 1994, only four years after its inception, the venue won the prestigious Prudential Award for Theatre, recognition for the invigorating air surrounding its various operations.

Box-office figures for the theatre's two stages have been

steadily rising. The venue is nationally renowned for its community and educational work. Since 1993, Kelly has been chief executive as well as artistic director. This makes her one of the most powerful women in theatre today.

If the National Theatre people eventually approach her, they may find she is not easily criticised. "The speculation was inevitable," she says. "The first thing I heard was when I read

**6 If you think all roads lead to London you downgrade the regions?**

it in the papers myself. It was bizarre to feel that you were being talked of for a job that you hadn't even thought about yourself. It isn't an automatic feeling that because it's bigger, it's in London, and it's the National, I would therefore want it. If anything, those issues mean that it would take a hell of a lot of thinking for anybody."

What has Kelly done to put Leeds on the theatrical map? First, her programming makes imaginative connections between people and projects. This year's season opened with Sharran Macdonald's *The Winter Guest*, directed by Alan Rickman, and the current crop of shows is a characteristically mix of new work, imaginatively treated classics and community programming. The Quarry Theatre, the venue's larger stage, will soon resound to a *Coriolanus* directed by and starring Steven Berkoff. The smaller Courtyard Theatre recently housed a season of black arts events, and Kelly's production

of *Call in the Night*, a new play by Bernard Kops which has received national exposure even before previewing, opens tonight.

Meanwhile, she has built up an impressive body of accompanying events and outreach work (apparently Berkoff is lined up to talk to an over-55s group), and when she speaks you begin to see the theatre not as some outpost battling against a modern culture but as a humming centre of interest. Which is revealing, for a venue surely takes on the personality of its director.

Kelly agrees. "I think there's an openness, a warmth and a passion which you sense when you're in the building," she says. "People feel the venue is very embracing and stimulating, and I think that comes from the fact that we have a sense of urgency. Art must matter to people. We're paid to make it part of people's lives."

There is every sign that West Yorkshire is too small to contain its Playhouse's bounding ambition. The theatre's latest co-productions have been with two of London's more fashionable operations, the Almeida and the Lyric, Hammersmith. There are plans to take Kelly's forthcoming production of Shakespeare's *King Lear*, starring Warren Mitchell, to the West End. And the Playhouse's new season was launched this year, not in Leeds, but in London: a clear case of blowing your trumpet right in the ear of the metropolis.

"If you think that all roads lead to London you're downgrading as second-class anything that happens in the regions," Kelly says. But she does recognise the allure of the Smoke, the fact that a guaranteed run in London allows one to attract better actors, and allows West Yorkshire to recognise the national prestige of its own theatre.

The trickiest balancing act, you might think, is between being a director (lots of ambi-



Why should Jude Kelly consider moving from Leeds when she can open her productions in London anyway?

tious ideas) and a manager (keeping a check on directors' ambitious ideas). But Kelly disagrees. "The creativity in the rehearsal room is about being able at any moment to reshape and rethink and go in a direction that is right, as opposed to one you prepared earlier," she says. "I think that's true of running a place like this too: that you should never have a formula."

Call in the Night opens at the West Yorkshire Playhouse, Leeds (0113 242111) tonight

## Seriously funky stuff

Maceo Parker  
Blackheath Concert  
Halls

THE legendary singer James Brown, in his autobiography, refers to his former saxophonist, Maceo Parker, as "real fantastic — an aggressive, dynamic player and a real worker". Parker has served three separate stints with Brown, including a tour entertaining US troops in Vietnam, but in recent years has established himself as a considerable crowd-pleasing act in his own right. Both he and fellow Brown alumnus, trombonist Fred Wesley, have flourishing recording deals with Germany's Minor Music, and their albums, particularly those of Wesley, have been staples of the "sweaty, tight funk" — with just enough jazz and soul to please armchair listeners as well as their core constituency, dancers.

The latter were out in force at this standing-only gig, in which Parker and Wesley were backed by Roots Revisited: Will Boulware (organ), Leo Nocentelli (guitar), Jerry Preston (bass) and Jamal Thomas (drums). Parker stated his intentions from the off — "We're gonna play something funky" — and proceeded to do just that for close on two hours. The band began — without Wesley — with a medium-paced shuffle from their 1993 album *Southern*

Exposure. *Blues for Sherry Bill*, and followed it swiftly with a more vigorous piece, *Makes It Funky*, from their latest recording, *Soundtrack*. On both tunes, Parker threw off his trademark strident alto solos, which rely for their effect chiefly on repeated squinted phrases or searing, grainy wails.

Once he had been joined by Wesley, welcomed to the stage like a conquering hero, the evening proceeded to get seriously funky. A relaxed, slow-building number centred on the repeated refrain "pass the peas" provided Wesley with the opportunity to demonstrate his surprisingly subtle soloing, in which mellow, sonorous phrases are tellingly juxtaposed with the odd big, braying comment, but the concert's centrepiece was a long funk medley.

Beginning with the repeated, and by this time somewhat redundant, exhortation to "shake everything you got", Parker and Wesley whipped the crowd into a state approaching mild frenzy with strutting solos over fearlessly hard, hammered bass and supple but insistent drums. Given texture and depth by Boulware's swirling Hammond and Nocentelli's tight, propulsive guitar.

A drum solo, odd quotations from tunes ranging from the Sonny Rollins calypso favourite *St Thomas* through to *Three Blind Mice* and *London Bridge is Falling Down*, and the audience were putty in Parker's hands, ready to be soothed into close dancing by a smoochy ballad, re-arranged

to delirium with a succession of heavy funk staples, and then sent into the night with *Funky Good Time* ringing in their ears.

Parker and Wesley may not be especially virtuosic, but as providers of slick, danceable funk they're unbeatable.

CHRIS PARKER

NADINE MEISNER

## Revolving bore

COUNTING the years? I was counting every minute of this tedious, murky avant-garde piece, dated in collaboration with Pete Brooks. It is vaguely about a surreal hotel and the stresses of living in a war zone; being told tall stories and getting your sexual kicks (the distinction is apparently fuzzy); an — oh, yes — the major events of the 20th century and Chaos Theory.

Theoretically this might be interesting, and Ruth Ben-Tovim's staging mainly does the piece proud. Alice Purcell's steel-scaffold set is stylish, with its splayed rooms separated by glass screens and connected by surprise ladders. We could be watching the hotel in cross-section or glimpsing parallel universes, miles and decades apart. The trouble is the jaw material. Scenes are replayed — albeit with flashes of self-parody — ad infinitum, without sufficient illumination of the puzzles of the plot.

The telephone rings. The young hotel porter, who has a hint of the futuristic about him

The Counting  
Of Years  
Young Vic, SE1

with his orange uniform and hairless head, picks up the receiver. The anonymous caller alarms him with a long piece of prose-poetry, something about how "no-one speaks. No-one talks about what is happening... No man's land of a city under siege... Spring will never come." The words, perhaps deliberately, are not easy to decipher over a tensely throbbing soundtrack.

Then a squat gangster (the wittily melodramatic Milos Yerkolomu) pops up in film noir mode and terrorises with alarming chameleon-like identities.

We spy on the guests. The man is a fiction fetishist. He masturbates while the woman grudgingly tells him pories. Inventing glamorous, histori-



Gail Ghislaine-Sixsmith and Milos Yerkolomu do their best to cope with the conundrum of *The Counting Of Years*

double-agent, loiters outside. Soon, Yerkolomu and Ghislaine-Sixsmith are checking in in a flurry of funny personae, from faintly foreign to creakily ancient. You can't be certain if you are watching doubling actors or characters with alarming chameleon-like identities.

We spy on the guests. The man is a fiction fetishist. He masturbates while the woman grudgingly tells him pories. Inventing glamorous, histori-

KATE BASSETT

Sir John Harvey-Jones means business where culture is concerned

## Reclaim culture in the classroom

"Culture, Commerce and the Curriculum". This will question the relatively low priority given to the arts and cultural matters in a science and technology biased curriculum.

A film director and a professor of arts education might be expected to argue that the arts are more than a soft option, or an offshoot of the leisure industry. But a hard-headed businessman? Sir John is probably Britain's best-known businessman. Chairman of ICI from 1982 to 1987, he is also

a BAFTA award winner for his BBC *Troubleshooter* series which made business as riveting as a cop show. At 71 he is as busy as ever, making a new series of *Troubleshooter*.

"My belief in the importance of arts training stems from the fact that business is itself a creative challenge in which there is a need to use the imagination. Change and imaginative projects inevitably involve the creative side of the mind. Besides, a lot of business and industry is about

communication, and communication is not about facts but emotions. People think that facts speak for themselves. They don't. Arts training helps to develop that side."

Sir John is critical of an education system which, he believes, "concentrates on memory and the assimilation of facts". He would like more space in the curriculum for the arts. The goal of education should be, he says, "the development of the whole person". Commerce would benefit

from employing people with a broader outlook because "business needs people who have self-confidence, self-belief".

In a changing world of work where employees need to be flexible, to embrace innovation, this is crucial. "People cannot learn unless they have proved to themselves that they are good at something."

Anyone who has seen the transforming effect on children of participation in a play or concert needs no persuasion

of this argument. The slimmed-down, post-Oleary curriculum allows schools to allocate more of their time as they choose. There is some chance that the encouragement of an industrialist will give teachers the impetus to find more space for activities which are not easily measurable on a points scale. And this could have a continuing effect on the whole of society, in and out of work, in future.

HEATHER NEILL

Culture, Commerce and the Curriculum, organised by the National Foundation for Arts Education, takes place tomorrow at Central Hall, Westminster. Registration 9.45. Fee: £35 including lunch.

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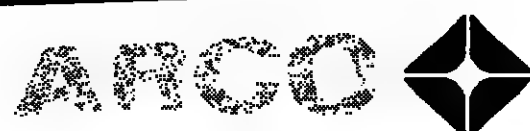




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# LAW

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● LAW REPORT 42

The Law Society presidential race: Frances Gibb meets Henry Hodge and below left, a lighthearted analysis

## Riding for a win?

□ There is a definite buzz in the normally staid headquarters of the Law Society in Chancery Lane. The building is alive with gossip, rumour, the latest news... Staff and council members say that things may never be the same. For the first time in 40 years, the society is facing contested elections for president, vice and deputy vice-president. Instead of the usual Buggins's turn, in which the 75-member council elects a deputy vice-president and he (it has always been a man) moves up to president in two years, there will be a ballot of the

Three candidates are in the running for the post of president of the Law Society. Henry Hodge, now deputy vice-president, and the council's favoured candidate, Eileen Pembridge, the council member who first made the harassment allegations that

led to the resignation of the vice-president, and Martin Mears, the anti-Chancery Lane solicitor who forced the ballot in the first place. Mr Hodge has a head start. In the profession he is well-known — even if his name is usually coupled with that of Margaret, his better-known

wife, the Labour MP for Barking and formerly the leader of Islington Borough Council. This year, however, Hodge made it into *Who's Who* in his own right: clear evidence of his Establishment credentials. It is something that, along with long experience of the

whole profession. Before the shockwaves of that upheaval had subsided, a fresh furor erupted when John Young, vice-president and president-in-waiting after 24 years of Law Society Council committees, was forced to retire amid allegations of sexual harassment. In fact, the post of president is important only as figurehead for the profession; the real power lies with the chief executive (John Hayes, who retires next year). But the upheaval is a clear sign of discontent in the profession at large and a mandate for change.

Law Society machine through 11 years on committees, gives him credibility but, equally, it can be damaging: Mr Mears, for instance, labels him as the "failed left-wing Establishment" who has been part of making the Law Society what Mr Mears describes as an "obese bureaucracy".

Yet Mr Hodge is not a typical council member. A legal aid solicitor appointed to represent those interests on the council, he says: "I have always seen myself as a bit of an outsider in a rather Establishment organisation."

His background marks him out from many other members: he founded Hodge Jones & Allen, his own legal-aid practice, in 1977 and has an impressive record of work with groups such as Justice, Child Poverty Action (he was its secretary before setting up his own firm), Camden Citizens Advice Bureau (1983-88) and quangos such as the Social Security Advisory Committee (1980-92), for which he was appointed OBE in 1993.

He seemed the obvious choice last year when discontent began to surface in the profession to go out on a mission to "listen and explain" to the membership and to improve communications between the grass roots and Chancery Lane.

But he rejects the view that the profession is up in arms. He says: "Martin Mears has arrived because people feel strapped for cash. But there are no furious groups who turn up when we go around — they are critical but they don't know the facts."

"When they hear what we are trying to do, they are reasonable." There had, he admitted, been a failure to communicate. He also accepts that to win the profession's confidence, there must be reform. His own 50-point agenda aims to tackle waste and surplus within the Law Society bureaucracy, to overhaul the Solicitors Complaints Bureau, making it an agency of the society (run by a board with lay members), to bring in a system of cautions for firms with poor complaints-handling and — with an eye on the concerns of the high street solicitor — to promote guideline fees for conveyancing and to scrap Law Society proposals that would require separate lawyers for housebuyers and sellers (not one, as now).

Perhaps of most interest to solicitors is that he wants a 10 per cent cut in the practising certificate fee and to re-evaluate the need for £1 million indemnity cover. He rejects the view that he is vote-seeking. He has put forward many of these views

within the society for some time, but says: "Only now am I reaching a position [in the hierarchy] in which I can get things done."

The society council is, he argues, an ineffective decision-making body and he would like to see it cut by perhaps half, but at the same time made more democratic and accountable to members.

Mr Hodge's strengths are that he knows the problems of the small firm, although his own legal-aid practice is — unlike some — highly successful: the turnover is £2.4 million and partners earn from £40,000 to £70,000 a year.

He also understands how to run an administrative machine (his rivals, he says, do not) and he has unmatched political contacts: the Blairs are friends and neighbours.

Mr Hodge also scores high in political correctness: he abhors sexual and racial discrimination — much of his Law Society work has been in this field — and he argues passionately that measures to tackle this are not "irrelevant posturing". He says: "It is vital that the Law Society stands up for equal treatment for everybody. What are you, as a solicitor, if you don't do that — don't regard everyone as equal before the law?"

An Arsenal Football Club supporter and motorbike enthusiast who rides to work, Mr Hodge also likes gardening and golf. He and Margaret live with their children (they have two, and he has also brought up two stepchildren from her previous marriage) in Islington, north London, where they are part of the charmed circle of new Labour.



Henry Hodge: a motorbike enthusiast, he believes he can add drive at the top

But Mr Hodge, a bank manager's son who went to Chigwell School, Essex, and read law at Balliol College, is confident he is the only candidate

who can unite the profession and represent its views.

"Both my opponents are coming at the job from opportunist positions," he says. "I

believe that I can represent the broad interests of the profession. I have a track record, and the confidence of those both in the council and outside it."

## A president but without power

I have always believed in voting. In some elections I have been hard-pressed to make my choice from a slate of equally dismal candidates, but I have always voted. Now for the first time I am being allowed to vote for the president of the Law Society.

The last time there was an election for the president was in 1954 when F. Hubert Jessop, an Aberystwyth solicitor, decided that he was fed up with London solicitors running things. He won the election but failed to get the knighthood that was then customary.

I am waiting to see whether the election in June will be by genuinely secret ballot. The last vote was on the level of compensation to be paid to senior office-holders' firms. Then the ballot cards had each member's name, address and practising certificate number on them, and, as a further security measure, each card had to be signed by the voter.

This election offers a real choice with candidates of widely differing views. For the past 40 years, the society council has effectively appointed the president. The council will still have a preferred candidate, and last week he was named as Henry Hodge, the current deputy vice-president. To help with their deliberations, the electors will be notified which candidate is the preferred one. This patronising anachronism is quite enough to put many voters off voting for Mr Hodge because the society is deeply unpopular among the rank and file. It is seen as doing nothing to stop the decline in incomes while imposing ever-more onerous regulations and huge increases in fees. This unpopularity is both unfair and rarely communicated to the hierarchy at the society, but it is real.

The election will be decided not by a small group who know the candidates well, but by the views and prejudices of thousands of solicitors who, like me, have never met them. What, then, is the rank and file's view of the three candidates? Not very flattering.

Martin Mears is seen as an arch-Conservative with no coherent programme, other than attacking most of what the society does. Though this is often cited as a criticism, given the state of anti-Law Society feeling, a candidate who promised to hang the Law Society Council before razing Chancery Lane to the ground would stand an excellent chance of election. To his detractors, Mr Hodge is the worst type of politically correct Islington socialist intent on making sure that every

Truro sole practitioner has the requisite quota of minority groups on the staff.

Eileen Pembridge, an ardent feminist, arouses strong feelings because she is a successful and able woman. This means that nearly half the profession is against her from the start. The men are more evenly divided.

The only thing that the three candidates have in common is that they all used the same lavatory at Law Society headquarters. The facilities for council members were designed exclusively for men and for four years Ms Pembridge insisted on using them. She told the embarrassed men that she was so short-sighted she could not recognise the members concerned.

Her "outing" of John Young, the vice-president (she denies she is to blame in that she mentioned no names), has caused controversy in the profession. Reactionary elements are privately horrified at the thought of a vice-president having to withdraw his candidacy because of allegations of sexual harassment. The attitude of the Left is different. One thoughtful left-winger said: "If John Young was merely dancing too close to a woman two years ago, it is no reason for him to stand down. If there were more to it than that and if people such as Ms Pembridge and Mr Hodge knew about it, they should have made more of a fuss at the time. Have they also been party to a cover-up?" All the

left-leaning lawyers expressed concern about Mr Mears getting in on a split vote between Ms Pembridge and Mr Hodge. Meanwhile, the news that Ms Pembridge is being taken to an industrial tribunal by a former employee alleging discrimination will do her no harm but will lead doubters to think her less right-on than she sometimes sounds (see *Inns and Outs* below).

Whoever is elected, in reality there is little that a president can do to improve things for the profession. The society has limited influence and less true power than the news editor of *The Sun*. The only real change a president can effect is to make things much worse. It is here that Mr Mears's critics are more strident. The legal press have been full of anonymous sniping about him, suggesting that nobody will work with him and that the work of the society will grind to a halt. To the beleaguered small practitioner in South Shields, struggling to find his practising certificate fee, this may be the argument to win Mr Mears the election ahead of Mr Hodge.



PATRICK STEVENS

## Elections hot up

A NEW batch of candidates has entered the Law Society elections after the council meeting last week. As favourite for president, and John Aucott has won Law Society Council backing for vice-president. He will fight against Robert Sayer, who is standing on an anti-Chancery Lane ticket. For deputy vice-president, the council is backing Tony Gilling.

Eileen Pembridge is resisting any pressure to pull out so that the liberal-left legal aid vote is not split between her and Hodge. More than 30 women from her firm, Fisher Meredith, have written, strongly defending her against accusations of sexual discrimination by a former

secretary with the firm and supporting Ms Pembridge's stance on women.

### Contracted in

THE Consumers Association is to challenge a government decision in the courts for the first time. Mr Justice Sedley granted leave for the group to challenge Michael Heseltine, President of the Board of Trade, in the High Court over small print in contracts. Unfair terms in small print have long plagued consumers.

### New policy chief

IAN BURNS, 55, is to succeed Michael Malone-Lee as head of policy at the Lord Chancellor's Department. Burns has

been head of the Police Department in the Home Office since 1990.

● A TAX partner with Frere Cholmely Bischoff is becoming head of tax and heritage at Sotheby's Europe.

### Take care

THE High Court has barred Wandsworth Borough Council from closing or transferring to the private sector all its residential care homes for the elderly. In a case brought by a group of residents from a home threatened with closure, Mr Justice Popplewell ruled that Wandsworth had misinterpreted its legal obligations under the National Assistance Act 1948. Wandsworth is like-

ly to appeal and the Government may also change the law so that councils no longer have to provide homes.

● A NEW organisation for barristers and solicitors, Young Women Lawyers, is launched at Parliament Chamber, Inner Temple, tomorrow. Details: Samantha James (0113-244 2018).

### On track

DID YOU know that when a greyhound track wants to run a "lote" betting system, the law says that it must have an accountant at the track? The days of this perk for greyhound fanciers are, however, numbered — a casualty of deregulation. In future, if the track's system is computerised and can be checked after events, the accountants can stay at home.

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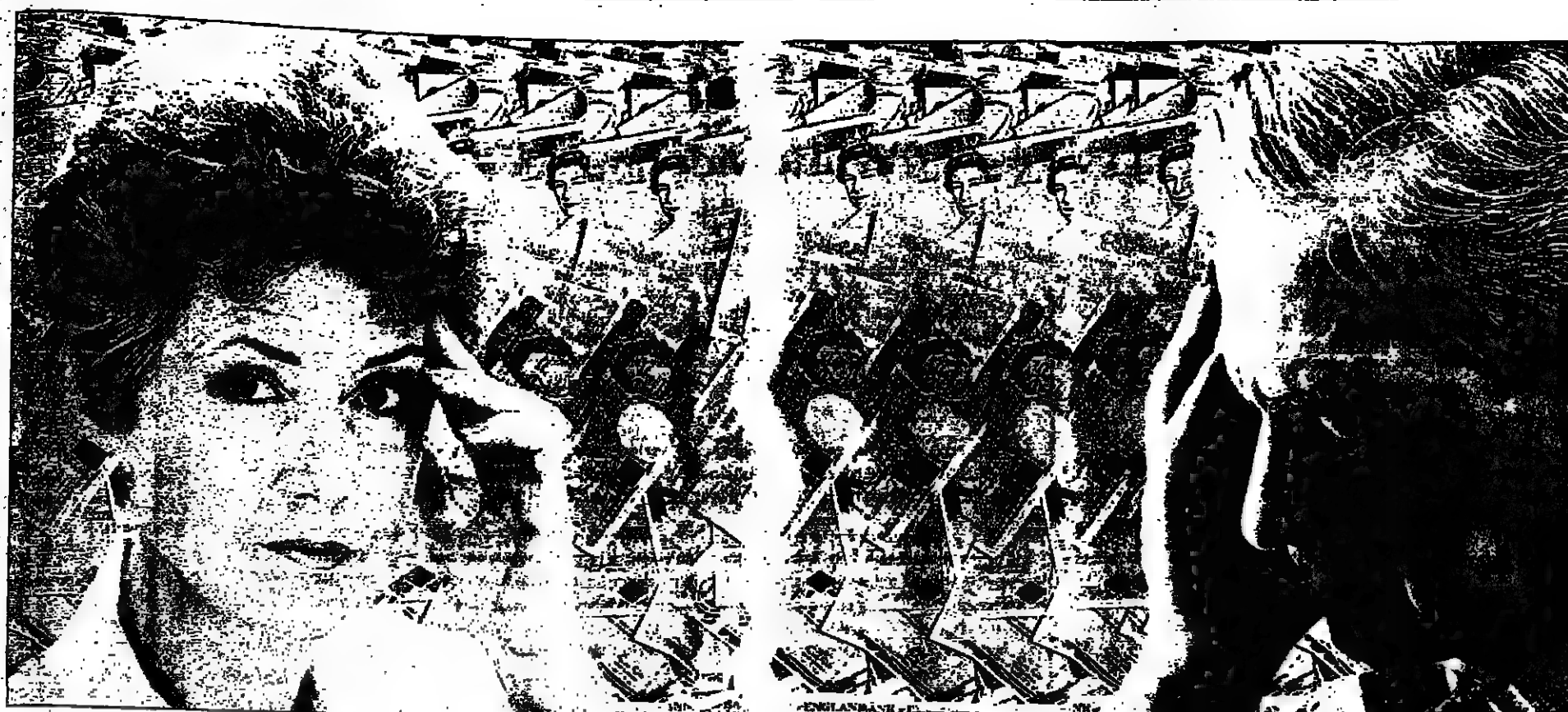
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Chris Barton looks at the benefits — and the dangers — of the plan to give former wives a better deal



The Government is preparing to change the law to allow wives a fair share of their husbands' pensions on divorce after proposals won a second reading in the Commons last week.

The reform — agreed by the Government under pressure in the Lords from an all-party coalition of peers — would bring England and Wales into line with Scotland, and require courts to take pension rights into account when splitting assets. Up to 200,000 couples a year could be affected. It is clear that the present law can cause injustice. Buried away in the Matrimonial Causes Act 1973 is the requirement that the court merely "have regard" to any benefit "such as a pension" that a divorcing spouse will lose the chance of acquiring. (In Scotland, the equivalent legislation renders it mandatory for the court to include occupational pension rights in the "matrimonial" property — which, on divorce, must be shared "fairly" between the spouses.)

But in England and Wales, the wife who has dedicated herself to house-keeping and motherhood at the expense of pensionable employment may therefore live to see her former husband in comfortable retirement while she is forced to find whatever work she can. On the other hand, where the divorce court does address the issue, the husband is made to pay for his freedom with the immediate loss of other assets. This can leave

him temporarily short of capital, but with his future pension intact, and his former partner with, typically, the house but no pension.

The obvious solution would seem to be to split the value of the pension on divorce, as if the man were changing employment and taking his expectations with him. This would leave him with some of "his" assets and his ex-wife with her share of their — morally co-earned — long-term security. An example of such moral entitlement may be found in the recent Court of Appeal decision in *Brooks v Brooks*. The 64-year-old husband owned a building company. Three years after the wedding, the company which employed Mrs Brooks for a time, established a pension fund for the benefit of the husband, who was entitled to surrender a portion of it to a spouse. Much later, on divorce, the court found that the husband had deliberately run

down his other assets in order to defeat his wife's claims. She was by then aged 56 and had no income prospects beyond the state widow's pension at 60. (As long ago as 1967, the Law Commission bemoaned the fate of women of 45 and older on divorce who "... have poor

expectations of remarriage so that if they lose their hope of an occupational pension in right of the first husband, they are likely to lose all hope...")

In *Brooks*, the Court of Appeal held that it was able to tap into the fund by judging it to be a post-nuptial settlement, which Parliament has

allowed the divorce court to vary since 1859. The judgment was based on the fact that the husband alone was entitled to the benefit of the pension fund, and he alone had the power on retirement to surrender part of his entitlement to his spouse. Consequently, their lordships varied the terms to provide Mrs Brooks with an immediate index-linked pension, continuing on Mr Brooks's death.

Paradoxically, it is this case that highlights the need for reform. As Lord Justice Hoffmann pointed out in his dissenting judgment, it is not given to the divorce court to provide for the wife out of someone else's money. If fund managers can show the rights of the spouses are incapable of variation without risk of interference with the interests of the third-party employees, the scheme is untouchable by the court. This is the difficulty that will tax the Government in honouring its promise to the

## Is it fair to split a pension on divorce?

**'If divorced wives lose all hope of a pension, they are likely to lose hope entirely'**

all-party group of peers. In Australia, where it has been suggested that accrued entitlements to superannuation attributable to their period of cohabitation be divided equally between divorcing spouses, there is disagreement about whether such division should be automatic or discretionary. With memories of the recent child-support debacle in mind, the British Government is likely to be wary of a rigidly formulaic approach — and even more so of any retrospective change, with its attendant danger of second families, of hitherto "respectable" voting habits, being left unaware. The Child Support Act 1991 represented an about-turn from the Children Act 1989, in its retreat from private ordering to compulsory state intervention.

Pension-splitting on divorce may yet be seen, if only by disgruntled former husbands and their new wives, as an unwelcome reversal of the last statutory tuning of the divorce court's "alimony" jurisdiction. The Matrimonial and Family Proceedings Act 1984, instigated by a Cabinet containing a number of wealthy divorced men and headed by the second wife of a divorced millionaire, chose to encourage "self-sufficiency" among former wives. Ex-husbands may see pension-splitting as another "meal ticket for life".

The writer is co-author with Gillian Douglas of *Law and Parenthood* (224pp, Butterworth, 1995).

## Big payoffs as sackings start

Dismissals at a leading firm are part of a trend, and settlements of £1 million are being mentioned

More sackings have been announced by City law firms and they seem to be part of a trend. Huge compensation packages are being mentioned. Gareth Quarry, a recruitment expert, said last week: "Several firms are making huge payoffs — as much as £1 million — to persuade partners in their early fifties to leave."

The tough-talking national law firm Dibb Lupton Broomhead is getting rid of 11 partners, some of whom have yet to reach 40. Coming after a couple of messy departures earlier this year, it underlines the Dibbs reputation for remorselessly demanding high performance.

Paul Rhodes, the managing partner, said that many firms had partners who had been handsomely paid, and some of them had been under-performing.

Though he was aware that these redundancies would cause the firm some embarrassment, Mr Rhodes was firm about their necessity. "We are biting on the bullet and doing what needs to be done to secure the firm's long-term profitability," he said. "Other firms ought to be following our example."

Dibbs has just come out top in an income survey by *The Lawyer*, and Mr Quarry echoes the Rhodes analysis. "As usual," he says, "Dibbs is taking the lead. Experience suggests that firms which delay taking remedial action are forced to make more painful and deeper cuts later on." The outstanding example of this is Turner Kenneth Brown (TKB), whose long history, stretching back to the 18th century, has come to an end this week. The firm has combined with Nabarro Nathanson. From a period in the early 1990s, when it had more than 60 partners, it is now reduced to 24, of whom 21 will

become partners at Nabarro. The sad tale of TKB has many ingredients, of which overpaid partners may be only one. However, it is clear that the expectations of partners in many other firms are now being dashed as profitability shrinks.

Mr Rhodes said many solicitors had assumed that once they were partners, they were guaranteed high salaries — come what may. "That attitude," he said, "is now unsustainable."

The strongest pressure on managing partners to disperse with under-performers is coming from the ambitious assistant solicitors aged around 30 who resent seeing their path blocked by those who appear to have become too comfortable in middle age. Many firms have now given in to the demands for these young Turks to be made partners.

Simmons & Simmons is announcing 18 new partners, Herbert Smith has an increase of 14. Ever-sheds has 20, Clifford Chance 15 and many other leading firms are promoting at least half a dozen.

The real challenge to managing and senior partners is how to motivate and maintain the performance of their firms in these circumstances. Getting rid of men and women in their early fifties is probably not viable in the long term.

David Lindsey, a partner for the Miami firm of Steel Hector & Davis, who has been on secondment to the UK over the past few months, expressed astonishment last week at the way in which experience and worldly wisdom were being cast aside.

"Older lawyers," he said, "give a weight and sagacity to firms that should not be overlooked."

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Paul Downes  
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Marie Louise Kinsler  
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David Turner  
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Are pleased to congratulate  
Timothy Lamb QC  
Alexander Layton QC  
on their appointment as Queen's Counsel

Further enquiries should be directed to Christopher Williams,  
The Head Clerk, 2 Temple Gardens, Temple, London, EC4Y 9AY.  
Telephone: 0171 583 6041 Facsimile 0171 583 2094.

### SPL SPECIAL PROJECT LAWYER

#### SHORT-TERM CONTRACTS ...THE WAY AHEAD

##### UPSTREAM OIL/GAS

Solicitor/Barrister with strong background in upstream work, preferably gained in-house, sought by Surrey based company for 3-6 month contract. Candidates should have strong negotiating skills and previous experience of joint ventures. Ref: 20870

##### CONSTRUCTION

International law firm seeks solicitor for London office. Assistance is required for a major construction case, and candidates should be 1-3 years' p/q, with contentious or non-contentious construction experience. To start immediately for six months. Ref: 21069

##### PENSIONS

Solicitor 3-6 years' p/q required to cover for six month maternity leave starting end of June. Client is a leading commercial law practice based in the City. Workload will be predominantly transactional. Ref: 21059

##### COMMERCIAL PROPERTY

Leading City firm are looking for two commercial property solicitors to join their team for a 1 year contract. Candidates should have a minimum of 2 years' experience and a maximum of six. Work will include negotiations in respect of leases. Ref: 19260

##### PROFESSIONAL NEGLIGENCE

Solicitor 2-3 years' p/q with solid experience in this area needed as soon as possible for London based firm. Requirement has arisen due to heavy workload. Candidates must be able to work unsupervised. Ref: 20467

##### MATRIMONIAL

Small firm based in Grantham require a solicitor - 3 years plus p/q - to assist with heavy workload. Contract to start as soon as possible and will be open-ended at this stage. Ref: 20769

##### PARA-LEGAL - FRENCH SPEAKER

Junior position for non-qualified candidates who must be willing to commit to a one year contract with City firm. Fluent french and work experience in this country are pre-requisites. Ref: 20459

For further information about these and other vacancies please call Nicky Rutherford-Jones or Emma Hopkins on 0171 485 6062 (0171 350 0682 evenings/weekends) or write to us at Special Project Lawyer, 37-41 Bedford Row, London WC1R 4EH.  
Confidential fax: 0171 831 6394.

##### COMMON-LAW

Chambers require a Practice Manager. Write in confidence to Box 1587

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# LEGAL APPOINTMENTS

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New Court is now expanding its administrative team to create a position involving specific responsibility for client liaison.

The successful candidate will be:

- a graduate or equivalent, preferably in the early 30's with a good working knowledge of the law, skills in administration; previous litigation or business experience would be a distinct advantage.
- flexible enough to cope with a varied workload whilst concentrating on the progressive management of business.
- approachable, self-motivated, innovative, energetic and committed to maintaining standards of excellence.

This is an outstanding opportunity to become part of the exciting and evolving administrative side of the modern Bar. The person who is chosen for the right candidate will be substantial.

To apply please write to our Advising Consultants, Jonathan Brenner and Lisa Hicks, at Zarak Macrae Brenner, 37 Sun Street, London EC2M 2PY. Confidential fax 0171-247 5174. E-mail jonathan@zmb.co.uk All direct applications will be forwarded to Zarak Macrae Brenner.

**ZMB**

## SENIOR COUNSEL

### Worldwide Multi-national

Our Client is a core component of a highly successful multi-national, providing a diverse range of financial services, including private label credit card schemes and a variety of other loan and insurance products, to retailers and consumers worldwide.

The component seeks to appoint a Senior Counsel, with responsibility for its Legal Department in London, and for legal advice and assistance to its business operations elsewhere in Europe. He/she will report to the component's Worldwide Counsel and senior management in the UK, and will play a key role in supporting the management of its European business.

The role is immensely challenging and varied, encompassing legal support and advice on consumer financial services, business development initiatives and transactions, supplier contracts, pension trusteeship, litigation and a variety of other commercial issues.

The successful candidate will be a senior lawyer at a leading City or international law firm or within an in-house legal department. A demonstrable track record of both academic and professional achievement is crucial. Experience in banking and consumer financial services matters (including related EU laws), as well as fluency in at least one other European language, are sought. Of equal importance are a flexible and adaptable style, a high degree of commercial acumen and the managerial and communication skills necessary to co-ordinate and motivate a legal team.

In return, our Client is able to offer a substantial remuneration package commensurate with an appointment at this level.

For further information, in complete confidence, please contact Andrew Russell or Sally Horrocks on 0171-377 0510 (0171-622 6213 evenings/weekends) or write to them at Zarak Macrae Brenner, Recruitment Consultants, 37 Sun Street, London EC2M 2PY. Confidential fax 0171-247 5174. E-mail andrew@zmb.co.uk

**ZMB**

## Commercial Lawyer



Esso is the leading manufacturer and marketer of petroleum products in the UK and a major participant in the development of UK oil and gas reserves. The Legal Department is responsible for providing legal advice on all aspects of the Company's business.

A commercial lawyer (Solicitor/Barrister) is now sought to take immediate responsibility for advising client departments up to senior management level.

Joining a highly professional team based in London, the successful candidate will need sound academic credentials and a minimum of 5 years post-qualification experience gained either in industry or in a commercial law firm. The candidate will have the energy and commitment to provide effective legal advice to a dynamic business.

In return, a highly competitive salary package is offered including a wide range of benefits, with keen attention paid to long-term career development. If you would like to be considered for this challenging post, please contact Sally Boyd who has been instructed to handle this assignment on an exclusive basis. Esso is an equal opportunities employer.

LIPSON LLOYD-JONES - Legal Recruitment 127 Cheapside, London EC2V 6BT  
Tel: 0171 600 1690 Fax: 0171 600 1972



## COMMERCIAL LAWYER

5-10 years' PQE

West London

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Founded in 1901, Gillette operates in over 200 countries worldwide and has consistently shown profitable growth. Probably best known for its blades and razors, the company is also highly competitive in the toiletries and cosmetics, stationery, oral hygiene and electrical appliances markets and has an outstanding record of technical innovation.

As part of the company's ongoing strategic development, a need has been identified for an experienced lawyer from either private practice or industry to join The Eastern Hemisphere Legal Department. Candidates will need to possess sound commercial skills, practical experience in corporate transactions and familiarity with intellectual property matters. A technical background/qualification will be advantageous and proficiency in another European language, combined with an interest in diverse business cultures, would also be beneficial.

Excellent opportunity for an ambitious, strong performer to join a dynamic team, offering individual responsibility and a fulfilling long term career.

This assignment is being handled exclusively by Reuter Simkin, Legal Recruitment Consultants. Please contact Gill Newman BA (Hons), a qualified lawyer on 0171 405 4161 for a confidential discussion. Alternatively write to her at 5 Bream's Buildings, Chancery Lane, London EC4A 3DF (fax: 0171 430 1140). All applications will be handled in the strictest confidence.

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The PSD Group

## COMPANY SECRETARY

Influence business development M3/M4/M25 Corridor  
£30,000-£40,000 + car + benefits

This young, ambitious and dynamic organisation, operating in an aggressively competitive sector of the leisure industry, is successfully increasing profitability and sales through its quality-driven, customer-led approach and is on target to go public in two to three years. This high-profile appointment to strengthen the senior management team will manage all secretarial issues and is of fundamental importance to the achievement of the company's business goals.

### The role

- control all legal aspects of business operations
- manage a substantial freehold property portfolio and related legislation
- control, assess and advise on acquisition contracts
- actively contribute to overall business management and development.

### The person

- mid-30s, graduate, with legal and, possibly, ICSA qualification
- first-hand experience in, and in-depth knowledge of, one or more of the following - legal, property, acquisitions - preferably gained within a large, progressive, entrepreneurial plc or commercially-orientated practice
- flexible, self-motivated and self-confident, with vision, stamina and good communication skills.

Please send your cv to Andrew Millard, Executive Search and Selection, Ref: 8047/AGM/T, PA Consulting Group, 123 Buckingham Palace Road, London SW1W 9SR.



London (0171) 730 9000  
Birmingham (0121) 454 5791  
Bristol (0117) 929 4581

Manchester (0161) 236 4531  
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Glasgow (0141) 221 3954

## TWO OUTSTANDING OPPORTUNITIES

### in CAPITAL MARKETS AND MUTUAL FUNDS

We wish to recruit two additional solicitors with impeccable qualifications, one to join the Hong Kong office of Malpas and Calder Asia and one to join our Cayman Islands office to assist our institutional and private clients in the Cayman Islands.

In each case, the ideal applicant will have a first class academic background, three to five years post-qualification experience with a leading City firm and will look forward to joining a firm advising in relation to a demanding mix of international finance, banking, corporate, mutual fund and capital markets transactions. The financial rewards and career prospects are excellent.

The salary for the Hong Kong position will be in the region of US\$135,000 per annum plus appropriate housing allowance. The salary for the Cayman Islands position will be in the region of US\$150,000 per annum. There is no personal taxation in the Cayman Islands.

Applications in each case with a CV should be addressed to Anthony Travers, Malpas and Calder, PO Box 309, Grand Cayman, Cayman Islands, British West Indies, marked 'CL'.

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ERIC POTTER CLARKSON

## TRADEMARK ATTORNEY

(Partnership Prospects)

During the last four years our trademark group has sustained continual growth, acquiring a number of prestigious clients. As a result, and in planning for future growth, an experienced trademark attorney is required.

Our need is for someone with the ability to quickly progress to partnership level. This will be reflected in the remuneration package which will include a car and other fringe benefits, as well as a salary commensurate with the challenge of the position.

We have not set an age criteria and if you think you have the necessary qualities to take full advantage of this exceptional opportunity, please apply in writing, sending a copy of your current C.V., to The Personnel Manager, Eric Potter Clarkson, St. Mary's Court, St. Mary's Gate, Nottingham NG1 1LE.

## Tax Editors

Our client, a major tax and law publisher, intends to significantly increase its business information publishing programme and now seeks to appoint two new Tax Editors.

This is an exciting opportunity to be part of a team being assembled to produce original material for tax professionals. Applicants will ideally be accountants or lawyers with experience of writing for a professional audience.

Successful applicants will have the opportunity to work from the company's offices in Oxford or London, plus the option to work from home on line.

A competitive salary and benefits commensurate with the status of our client are offered.

Please write in confidence to John Broom at:

Meridian Search & Selection  
The Cloisters, 5 Kensington Church Street, London W8 4LD  
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## LEGAL APPOINTMENTS

FAX:  
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SCHOOLThe ZMB Senior Research Fellow in  
Law Firm Management

Nottingham Law School is the leading centre in Britain for professionally orientated legal education. Its newly launched MBA in Legal Practice builds on the Law School's reputation for innovation and training expertise. ZMB advises on strategic issues affecting its law firm clients. It is therefore promoting independent research into all aspects of management within the legal profession through the appointment of the ZMB Research Fellow within the School's Centre for Law Firm Management.

Based in either Nottingham or London, the Fellow will conduct research in all aspects of the management of legal practice, be it in private practice, the public sector or commerce and industry. This will involve writing for journals and conducting sponsored practical research assignments on behalf of the Centre for Law Firm Management. Other responsibilities will include contributing to presentations, conferences and management development programmes.

The successful candidate will have a good academic record, including a relevant post-graduate qualification, and a career which demonstrates substantial experience of professional services, ideally though not necessarily in law. Previous research or consulting experience together with commercial awareness and an ability to communicate are also essential.

The appointment will be for three years at a salary in the region of £25,000 p.a. Informal enquiries are welcome and should be made to Professor Stephen Mayson, Director of the Centre, on 0115-486 672. Further details and applications forms are available from Personnel Services, The Nottingham Trent University, Burton Street, Nottingham NG1 4BU. Nottingham Law School is part of The Nottingham Trent University and is actively implementing equality of opportunity policies and seeks people who share our commitment.

ZARAK

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## CITY OPPORTUNITIES

## JUNIOR CORPORATE

Tired of a City law factory, highly rated Central London practice, with expanding corporate practice seeks 1-4 year qualified associates. Echoes of firm combines quality City work with genuine prospect and partner led training - the factory ends here! but the premier City salaries continue. Ref: T14365

## PENSIONS

1-3 year qualified pensions specialists sought by medium-sized City practice with strong reputation in this field - work is mainly non-contentious including scheme and, as importantly, transactional led work. Department has acted on many of largest pension matters in last few years. Superb opportunity. Excellent salary. Ref: T17845

## PROPERTY/PROPERTY FINANCE

City firm with pre-eminent reputation in its core specialist areas seeks 6 year qualified property finance practitioner - medium in size, but definitely "large" relative to culture of instructions. Position aimed at those keen to join small expanding group. Ref: T21037

## SENIOR EMPLOYMENT

Long established Central London firm seeks to strengthen its cross-departmental specialists by recruiting a senior employment lawyer. You will have the ability not only to generate employment work from your own and firm's existing contacts - but, as importantly, an ability to build a team. Potential partnership position. Ref: T21035

To £49,000

To £37,000

To £28-£60,000

To £Partnership

## LITIGATION KNOW-HOW

Top City firm seeks litigation know-how officer to give firm senior support in relation to precedents, client driven literature etc. The ideal candidate will have at least 3 years' litigation experience gained within a City firm and either already have the requisite know-how expertise or an interest in developing this area. Ref: T21065

## PROJECT FINANCE

Well regarded international law firm in City providing a broad range of legal services in the construction and engineering arena seeks project finance lawyer with between 3 and 6 years' experience to take a high profile role in major transactional work. Excellent opportunity. Ref: T15924

## INSURANCE

Niche insurance City practice seeks 1-3 year qualified insurance litigator to take an early pivotal role within this small thriving and rapidly expanding practice. The successful candidate will have at least 21 degree with excellent personality skills. Very good opportunity. Ref: T21073

## CORPORATE TAX

One of the leading UK law firms with offices in the City and internationally seeks a corporate tax lawyer to undertake VAT and tax work. Excellent opportunity for bright City trained tax specialists with an excellent academic background and outgoing personality. Ref: T21081

To £55,000

To £65,000

To £42,000

To £50,000

For further information in complete confidence, please contact June Messitt or Stephen Rodney (both qualified lawyers) on 0171-405 6062 (0181-340 7078 evenings/weekends) or write to them at Quarry Douglas Recruitment, 37-41 Bedford Row, London WC1R 4EJ. Confidentiality 0171-831 6394.



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Legal  
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Buckinghamshire

c£25,000  
+ car  
+ benefits

To discuss this position contact Richard Kellner at Badenoch & Clark, 16-18 New Bridge Street, London, EC4V 6AU. Tel: 0171-583 0078 Fax: 0171-353 3908

Our client, one of the world's leading providers of business services, is the UK subsidiary of a highly successful US based multi-national.

On their behalf we are seeking an exceptional individual to assume a strategic role within the organisation. The position will involve liaison with UK and US based lawyers and local subsidiary management. A thorough understanding of contract terms, condition issues and contract conditions for new product development is required. Additionally, you will be responsible for the management of sensitive issues and potentially litigious situations which will require a diplomatic but firm approach.

The role demands a bright and energetic team player who can satisfy the following criteria:

- First class written and oral communication skills.
- A commercially aware, business orientated approach to your career.
- Ideally some experience gained in an in-house capacity.
- Instant credibility to instil confidence in both clients and colleagues.
- The initiative to manage issues alone.

This key position represents an excellent opportunity for a candidate with a legal background to develop their career in a progressive business environment.

This assignment is being handled exclusively by Badenoch & Clark.

BADENOCH & CLARK  
recruitment specialists

## EXTRAORDINARY POSITIONS

## EMPLOYMENT

6 months to 3 years qual To £41,000

A medium sized City style practice with a developing Employment Department requires a junior assistant. Preferred applicants will have a City training: contentious and non-contentious and advocacy experience. Role involves considerable client contact and industrial tribunal work. T.6887.

## COMPANY/COMMERCIAL

3 to 5 years qualified Hong Kong

A major London firm with one of the largest offices in Hong Kong seeks a solicitor from another leading City firm to handle a role of Corporate Finance and Commercial work. There may be some incidental banking work. First class salary package. T.6674.

## ACCOUNTANTS NEGLIGENCE

3 to 6 years qualified To £45,000

Leading City 'insurance' practice requires senior assistants with either general commercial or professional indemnity backgrounds to handle matters arising from corporate fraud, DII investigations and SFO enquiries. Large scale complex litigation with high rewards and prospects. T.6812.

## IT/TELECOMS

3 to 5 years qualified To £55,000

One of the City's best known and most dynamic departments in this area is keen to recruit a lawyer with a combination of IT and specific experience. Experience should include licensing and commercial work for radio or fixed wire telecom companies. Good opportunity. T.6724.

## COMMERCIAL PROPERTY

3 to 6 years qualified To £50,000

An entrepreneurial, commercial young property lawyer is sought at a small but extremely profitable West End firm. A high quality client base is serviced by a young team and lawyers are recruited on the basis that they have the capability to become partners at the firm. T.7020.

## IN-HOUSE

3 to 6 years qualified To £40,000

A speculative investment bank requires a swaps/derivatives lawyer. The work will involve dealing with fixed income, swaps, structured products, insolvency risks and tax issues. Candidates must have experience of derivatives for this transaction-based role. T.7058.

## PROJECT FINANCE

4 years+ qualified To £40,000

The London office of a US practice requires a suitably qualified lawyer to handle project finance matters. The practice is particularly well-known for this type of work, which accounts for the majority of the workload. An impressive client base ensures good quality and varied work. T.6940.

## SHIPPING

Senior Solicitor/Partner To £70,000+

This small but specialist shipping practice is looking for a partner with reasonable following to join their rapidly expanding - Maritime Department. Department is currently five partners and five assistants and performs a broad range of work. T.7028.

## LAWYER - CONTRACTS ADMINISTRATION

LEEDS

Division of leading U.S. multi-national with worldwide operations and a major supplier to the printing and graphic arts industry seeks a commercial lawyer to assist in administering U.K., European and export commercial operations, reporting directly to division management and liaising with corporate counsel in Brussels and New York.

## Responsibilities

The successful candidate will manage and administer all legal aspects of the Division's commercial relations with suppliers, customers, distributors, agents and other third parties in Europe. The position will likely entail some foreign travel.

The workload will include: commercial drafting; advice on U.K. and European Union legislation; contract administration; development of standard form contracts; legal audits to ensure that Division operations observe relevant EU and US laws; development of training materials; support for U.K. property administration and organisation and management of files including computer databases.

## Qualifications

Solicitors with 2-3 years PQE in a commercial legal environment who is a self-starter and able to assume significant responsibility in a rapidly changing environment. Preference will be given to candidates with EU law training and one or more European languages. Some exposure to US corporate law would be a distinct advantage. Computer skills (AmPro, Word, W.P.) also required.

## Salary

An attractive salary package commensurate with experience will be offered to the right candidate.

Send curriculum vitae together with full salary details and a short legal writing sample (no more than five pages) to Box No 5896 Times Newspapers, PO Box 3553, 1 Virginia Street, London, E1 9GA. All applications must be received by Monday May 22nd (Allow 2-3 days for box number processing).

ASSISTANT DIRECTOR  
(LEGAL)

SALARY: £26,319 - £28,950 PER ANNUM

This second tier post is a key one within the Authority and involves a considerable degree of responsibility. It offers the ideal opportunity for a Solicitor looking for varied and valuable experience.

On a day to day basis you will be required to control and co-ordinate the work of the legal division and regularly advise Committees, Senior Members and Officers of the Council whilst carrying out a varied personal caseload of legal matters. You will also address all fresh legal challenges facing the Council such as CCT and local government reorganisation. In addition you will deputise for the Director of Legal and Administrative Services in his absence and perform the function of deputy monitoring officer.

We are looking for a solicitor with local government experience who can reflect the highest standards of the Authority. Experience of working in private practice may well be an advantage.

Situated to the west of Nottingham, the Borough of Broxtowe has a population of 110,000 and is a pleasant mixture of both rural and urban environments. Within the context of Local Government re-organisation its claim to unitary status has been recognised by the Secretary of State's recent announcement of a further review of the urban fringe of Nottingham. This can only enhance the interest and significance of the post.

The attractive recruitment package includes generous relocation expenses, temporary housing accommodation, payment of professional fees and modern offices with a smoke free environment.

Application forms and further details are available by telephoning Nottingham (0115) 925 4891 extension 4372 or by writing to The Director of Management Services, Broxtowe Borough Council, Town Hall, Foster Avenue, Beeston, Nottingham NG9 1AB.

Closing date: Friday 19 May 1995



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London E1 9GA

## LEGAL SERVICES CONTRACTS MANAGER

PREPARING FOR AND MONITORING CCT CONTRACTS

£19,521 - £22,116

As compulsory competitive tendering now applies to legal services, this post has been created to liaise with the Council's Departments regarding CCT and legal work generally and to ensure that statutory requirements are met.

This will not entail working on legal cases but the involvement extends to every stage of the tendering process, from the drafting of specifications, legal services contracts and assessment criteria, to the evaluation of tenders, the awarding of contracts and monitoring of contract performance.

As a result, we are looking for an individual with 5 years' legal experience, ideally within a local authority, covering both contract and project management. This should be matched by an ability to communicate complex legal and contractual issues in every day language. Financial control, negotiating skills and computer literacy are also essential for success. Minimum qualification: ILEX part II. Ref: HA360.

Closing date: 19 May 1995.

Application forms are available from Human Resources Operations, The Town Hall, The Burroughs, Hendon, London NW4 4BG or telephone 0181-359 2699 (answerphone). A minicom service solely for the use of people with hearing difficulties is available on 0181-359 2744.

CHINA LIGHT & POWER CO., LTD  
中華電力有限公司

Corporate Counsel (Circa : HK\$1,677,000 per annum)

Committed to quality customer service and high safety standards, China Light & Power Company, Limited of Hong Kong has been generating and supplying electricity to more than 1.65 million customers and we will further expand our business in China and South East Asia. We are seeking a solicitor to head our Corporate Legal Department.

Reporting to the Company Secretary, the incumbent is required to be pro-active in providing all legal services to our Group of Companies in Hong Kong as well as to liaise with external legal advisors and consultants. He/she is also expected to participate in various cross-functional teams.

The successful applicant should be a solicitor with at least 10 years post qualification experience, preferably gained in a corporate and/or industrial environment as an in-house lawyer with first-class interpersonal and communication skills and eligible for admission in Hong Kong. Knowledge of Cantonese or Putonghua would be desirable.

Starting salary will be commensurate with experience and qualification. Fringe Benefits include Annual Leave, Medical Scheme and Provident & Retirement Fund Scheme.

Please send your application with a detailed resume, present and expected salary, contact telephone no. and a recent photo to the Organization & Manpower Manager, China Light & Power Co., Ltd., 147 Argyle Street, Kowloon or by fax at 852-26788459 no later than 20th May, 1995. Please mark "Confidential" and quote the above reference on the envelope. The exchange rate on 18th April, 1995 was HK\$12.5304 to GBP1. At present, the maximum personal income tax rate is 15% of income.

Applicants not invited for interview within one month from the closing date may assume their applications unsuccessful.

香港  
HONG KONG



# Curing parents' exam nerves

When your offspring are under pressure, says Libby Purves, stay calm, exude confidence and keep the pizzas coming

"DO NOT on any account attempt to write on both sides of the paper at once," says *1066 And All That*. Parents, nervous themselves to face another examination season, need reminding, with equal firmness that we are not going to be writing on either side of any paper. Our children are doing the work. It is their day. Support, advice, assistance we may offer, but when the bell goes the seconds have to climb out of the ring and wait with the sponge and towel.

The parental tendency to pitch in and interfere is never so apparent as when your precious, unique baby is being heartlessly tested by a dispassionate system.

The first tests are at seven. They are now less infamously complicated than four years ago, and given a skilful primary teacher it is quite possible the child will never notice it is being tested. Given a less skilful school, they can cause considerable distress and apprehension. Sharp new pencils and words of robust encouragement are probably as far as you can go at this stage: it passes very quickly.

This, however, is nothing to the next hurdle: Parents with experience of the 11-plus, or of the common entrance in the private system, are familiar with the particular unease of preparing children as young as 10 for a test that matters. Experience of music grades helps considerably, or of routine unstressful tests inside schools. But some young children take the whole thing very hard indeed. By this age children know perfectly well what it is to be tested and to fail. It is a dress rehearsal for GCSE. Sleeplessness, panic attacks, unwelcome moroseness, defeatism, and bouts of hyperventilation are all par for the course.

By now the sad distinctions of nature are visible. Bright children rather like exams, as a chance to show off and score highly. If they do badly, they are so outraged that it spurs them on to greater efforts (as one virago of my acquaintance snarled: "Nobody puts me down a

maths set and lives!"). This is why schools do "mocks", to stir them up a bit. But the less able children hate the whole business, see only despair ahead, and loathe "mocks" more than anything. The majority fall between the types and just toss, and turn, and snap, and gripe.

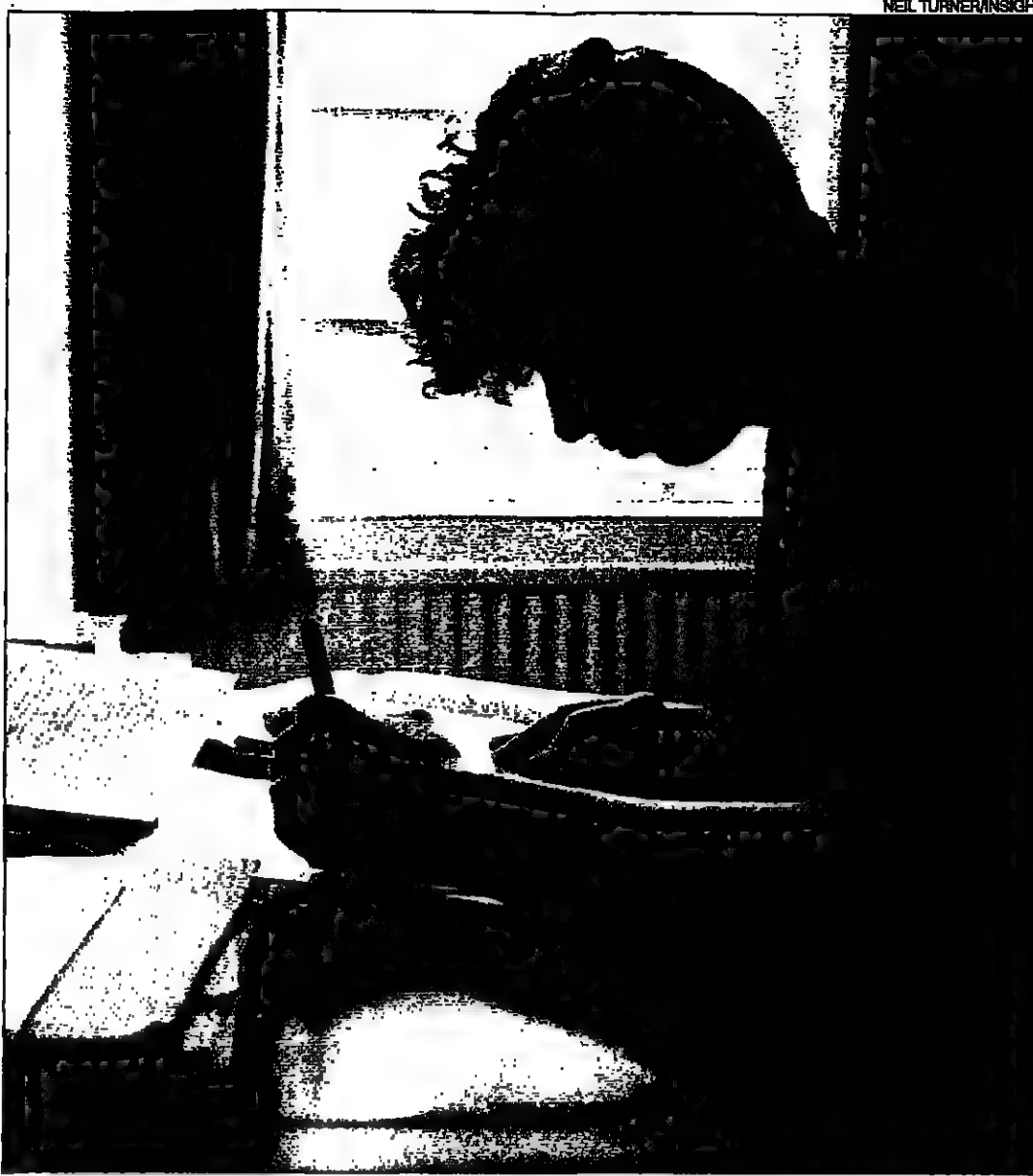
Can we do anything, other than feed them properly? Do we have a role? Practical help with revision is of use, but only if it is asked for and stays basic — such as hearing a list of words or formulae as they are committed to memory. Enthusiastic amateur help, especially with maths, can be fatal.

Better to expend your energy on hounding the teachers to help or, in the last resort, paying for a few sessions of coaching. Thirty quid's worth of a good, dispassionate maths tutor can sometimes throw light into cobwebby corners of misunderstanding that the regular teacher would be mortified to know about. For two years of my childhood, having missed one class, I remained vaguely convinced that "area" was a place you parked aeroplanes, and never could see why length-times-breadth got you there. It took a house-move and a change of school for light to dawn.

Especially in the run-up to GCSE, parents may be tempted by the vast array of curriculum ready-revisers rushed out by keen publishers in response to educational panic. Teenagers ought at least to be allowed to choose their own: unlike the son of a sniffling woman I met in W H Smith, buying a vast sheaf at random. "He'll spoil his chances, so I'm taking over."

But the most important thing is somehow to find a genuinely helpful attitude. Don't bribe: success is enough in itself, and bribes spoil the brilliant and burden the dim. Don't make invidious comparisons between siblings. Don't intrude your own emotional baggage, empathising with the child's every twinge ("I went through hell during O levels, darling, I do know").

Stay calm, exude confidence,



Parents should never interfere with a teenager's eccentric methods of revising — they usually work

don't have inflated expectations. Don't interfere with a teenager's eccentric system of revising. Many fine grades have been got by revising with chattering headphones on, or sunbathing on a canal bank, or with a friend. Odd techniques like this are actually recommended by some psychologists: the idea is you remember the Madonna album or the canal bridge, and it brings back a flood of associated formulae and quotations. One boy got 10 superb GCSEs to the stupefaction of his mother, who reveals that he spent the preceding week lying on his bed

playing his accordion with books propped loosely around him. "Some of them were open," she says helplessly. "But I never actually saw him look at a page." So don't be boring about desks and silence: stay benevolent, keep the pizzas coming.

And if the worst comes to the worst, in VE summer you can quote that well-known school failure, Winston Churchill. Receiving yet another honorary degree, he once said, in an echo of his Battle of Britain speech: "No one ever passed so few examinations and received so many degrees."

- CHECKLIST**
- ☐ Keep out of the way: offer practical help only when requested
  - ☐ Look out for signs of stress
  - ☐ Keep an eye on diet
  - ☐ Don't give amateur advice in subjects where you have little expertise
  - ☐ Don't offer bribes for good results
  - ☐ Don't add to the pressure with sibling comparisons

## Getting the best results

Can you pep up academic performance by giving children a diet high in fish?

Is it possible to influence a child's academic ability by altering diet? Would Bertie Wooster have been a bit brighter if he had eaten up his fish, as nanny wanted? It is just possible that some of the fatty acids found in the brain are also present in fish oil, so that a high fish diet may be beneficial in early infancy, and during pregnancy, when neurological tissue is being laid down. But in general a good all-round diet will provide the raw materials for the development of the brain.

The widely accepted opinion is that if children are already enjoying a nourishing diet, vitamin and mineral supplements will not enhance intelligence and academic performance. If, however, children are suffering from a specific deficiency, most commonly iron, performance will improve if this particular lack is corrected.

Dr Tom Sanders, of the Department of Nutrition at King's College, London, said research had shown that if children were used to having breakfast, their academic performance suffered if it was missed. Surprisingly, the converse was also true: children who never ate breakfast did not do so well if one was suddenly provided.

Dr Sanders said that there was also evidence that an adequate carbohydrate intake could be important. Performance could fall if this became inadequate. Cereals will do for breakfast, it does not have to be the traditional porridge. Older students shouldn't vary their coffee and tea intake either: it may be traditional to work with a cup of black coffee forever on the table, but too much caffeine may reduce rather than increase performance.

Life at home during examination times should not alter: change creates tension and stress, and the home should always represent stability.

Provided that family life is normally reasonably free from drama and discord, it should continue as before: there is no need for hushed voices and solemn questioning glances. Sleep routine should never be varied. It is counter-productive and merely creates additional anxiety to suffer sleep deprivation by cramming into the early hours.

After the results are known, congratulations can be lavished, but inquests on any failure should be discreet, with questions directed to the school rather than to the pupil. Sensitive children, being judged and as exams by their very nature are judgmental, any shortcomings need particular care in handling.

Parents have to achieve a balance between showing so little interest that the child responds by not bothering with scholastic work, and being so enthusiastic that their interest becomes demanding and the child is reduced to a neurotic wreck, or even precipitated into psychotic breakdown.

Adult patients' troubles often started when it became obvious that their natural ability did not match parental expectation; their whole life may later have been blighted and twisted by predictable failure to achieve some academic milestone coveted by an ambitious mother or father.

A parent's desire for their children's success must be so tempered that it never appears that their love and approval are dependent on it. Few consultations are more distressing than those with parents whose praise for their children is obviously as conditional on success as biscuits would be for a dog who does clever tricks.

DR THOMAS STUTTAFFORD

### TOMORROW

Our subject-by-subject guide to the classroom tests begins with **English** for 14-year-olds, followed by **mathematics** on Thursday and **science** on Friday

## Court of Appeal

## Law Report May 2 1995

## Chancery Division

### Powers of district judges

**Joyce v Liverpool City Council**  
**Wynne v Same**

Before Sir Thomas Bingham, Master of the Rolls, Lord Justice Hirst and Lord Justice Aldous

[Judgment April 28]

District judges had jurisdiction to grant specific performance in relation to an injunctive relief in resolving small claims referred for arbitration under Order 19 of the County Court Rules 1981.

The small claims arbitration procedure was the norm for the disposal of small, relatively simple claims and such claims made by tenants to enforce the landlord's implied repairing obligation under section 11 of the Landlord and Tenant Act 1985 could not form any general exception.

The Court of Appeal so stated dismissing appeals by Mrs Anne Joyce and Mr William Wynne from Judge Marshall Evans and Judge Hedley respectively who, sitting at Liverpool County Court, had upheld decisions of district judges that both plaintiffs' claims under section 11 of the 1985 Act for specific performance and damages against their landlords, Liverpool City Council, could be determined by the district judge exercising his small claims arbitration jurisdiction and should have been referred to that forum.

Mr Timothy King, QC and Mr David Bennett for the plaintiffs; Mr Edward Barley Jones and Miss Tania Griffiths for the council.

THE MASTER OF THE ROLLS, giving the judgment of the court, said that a circuit judge, acting within his jurisdiction and subject to express exceptions not presently relevant, might exercise all the powers of a High Court

judge. Those included the power to grant both interlocutory and final injunctions, other than *Anton Piller* (search and seize) orders and *Mareva* (asset freezing) injunctions, whether or not any claim was made to money or any other relief within the county courts jurisdiction. He might do so at any stage of the proceedings: see Order 13, rule 6(1) and (2) of the 1981 Rules.

The district judge, acting within his jurisdiction under the County Courts Act 1984 or any other Act or the 1981 Rules, had all the powers of a judge: see Order 30, rule 2. That power was confirmed, in relation to his trial jurisdiction under Order 21, rule 5(1), by Order 21, rule 5(2B).

His power to grant injunctions before or after the hearing in proceedings which he had jurisdiction to determine under Order 21, rule 5 "for otherwise" was confirmed by Order 13, rule 6(2). The expression "or otherwise" had to cover proceedings automatically referred for arbitration by the district judge, since those undoubtedly were proceedings which he had power to hear and determine, namely which he was authorised to hear and determine under the 1984 Act and the 1981 Rules.

Save that there was under the general law no power to make a declaration or, probably, order specific performance as an interlocutory remedy, which was true of an injunction was true of those other remedies.

It made no difference that the small claims procedure conducted by the district judge was, in the court's view inappropiate, described as arbitration. He remained a judicial officer throughout: his powers and procedures were

governed by the Act and the Rules; his award took effect as a judgment; the hearing was in practice conducted at and in the name of the court.

The court agreed with the judges below on the jurisdictional issue and would add that where, as here, the plaintiff's claim was by a tenant against a landlord for breach of a repairing obligation, it seemed plain that section 17 of the 1985 Act envisaged that the court dealing with that claim would have jurisdiction to grant specific performance.

**Reconsideration of automatic reference**  
The court rejected Mr King's submission that the judges below had misapplied and wrongly treated *Affai v Ford Motor Co Ltd* (1994) 4 All ER 720 as requiring section 11 claims within the financial limit to be automatically subject to the small claims arbitration procedure.

In *Affai's* case the Court of Appeal had discounted the view that claims against employers arising out of accidents at work were necessarily unsuitable for determination under the small claims arbitration procedure.

It had pointed out that the grounds for revocation specified in Order 19, rule 3(2)(a) referred merely to the existence of questions of law and of fact, but to difficult questions of law and exceptionally complex questions of fact: see p734A.

It had also pointed out that the claimant's claim of representation could not of itself provide a ground for ordering trial in court where the defendant was represented, since Order 19, rule 7(4) expressly recognised that one party might be represented and the other not: see p734H.

Its decision (see p735C) showed

that while in the ordinary way low value claims would be determined under the small claims arbitration procedure the final decision had to rest with the district judge charged with the task of doing substantial justice in the particular case.

It was for him to decide whether "it would be unreasonable for the claim to proceed to arbitration having regard to its subject matter... the circumstances of the parties or the interests of any other person likely to be affected by the award": see Order 19, rule 3(2)(a).

He, as the final decision maker, was likely to be the best judge whether that test was met in any given case. Great respect was to be paid to his decision not only because of his experience of dealing with individual cases but also because of the knowledge he would have of the local situation.

Difficult questions of fact and law might arise in borderline cases, but the solution was likely to be fairly obvious in the ordinary run of cases.

Expert evidence might be more important in section 11 claims than in many claims against employers, but armed with an expert's report, obtained, usually with legal assistance, before proceedings were issued, the burden on the tenant of preparing and presenting his case was proportionately reduced.

It had to be borne in mind that the common defects likely to fall within the financial scope of the small claims arbitration procedure, immovable or ill-fitting windows, minor leaks in the roof, overflowing drains, defective boilers, were not things which the average tenant, or the tenant's spouse, would find hard to understand or describe.

The district judge conducting a small claims arbitration was under a clear duty to ensure that the claimant's case did not go by default: see Order 19, rule 7. If the defendant's conduct put the claimant to unreasonable expense the claimant could be compensated: see rule 4(2)(c).

Cases would, however, arise in which despite the smallness of the sums involved justice could not be done to an unrepresented claimant under the arbitration procedure. Trial might then be ordered.

But for the great mass of small and relatively simple claims the arbitration procedure had to be the norm. Section 11 claims could not form any general exception. Reasonable housing conditions were without doubt a condition of ordinary human happiness. But the evidence on the appeal did suggest that court trial of minor section 11 claims yielded a benefit to the legal profession out of all proportion to that gained by the tenant and diverted the funds of local authority landlords from purposes more germane to their public function.

Solicitors: Gregory Abrams, Liverpool and Stephen Irving & Co, Liverpool; Sharpe Pritchard for Mr Paul F. Taylor, Liverpool.

**Wain v Cameron (Inspector of Taxes)**  
Before Mr Justice Harman

[Judgment April 27]

The exploitation by an author of manuscripts, notebooks and other working papers produced by him in the course of his profession gave rise to a profit that was chargeable to income tax under Case II of Schedule D.

Mr Justice Harman so held in the Chancery Division when dismissing an appeal by way of case stated by the executor of the will of the taxpayer, John Barrington Wain, from the decision of a special commissioner (Mr T. H. K. Everett) determining an assessment to Schedule D income tax for 1988-89 in the sum of £27,893.

Professor Wain died after the commissioner had given his decision and the appeal was continued by his executors.

The sale did not include the

copyright to any of his works. The case stated summarised the taxpayer's argument, not substantially different from that now advanced by Mr Ewart, that what was sold was not the copyright nor the completed copies of his works but notebooks and memorabilia.

The character, it was said, of what he sold differed from the character of his finished works: what was sold, Mr Ewart said, was part of the process of producing his works, not a professional product as the profession of author was to produce books not notebooks.

The commissioner rejected that argument concluding that what the taxpayer sold was a part of the fruits of his profession as author and accordingly the profit he received was chargeable to Schedule D tax.

The Crown argued that the tax-

payer, Mr Timothy Brennan for the Crown.

### Themepaid Ltd v West and Others

Before Lord Justice Balcombe, Lord Justice Evans and Lord Justice Waite

[Judgment April 6]

Lenders of credit, performance bond and guarantees were all subject to the general principle that they must be treated as autonomous contracts, whose operation was not to be interfered with by a court on grounds extraneous to the credit or guarantee itself.

The sole exception was instances of fraud, although even there the law recognised the prima facie right of the guarantor to be the sole arbiter on whether payment under the guarantee should be refused.

However, where the issue to be decided was simply that between the buyer and seller in a case where no demand had yet been made on the bank guarantors, who were not parties to the action, a judge was right to conclude that he had power to grant an injunction to restrain the making of the demands without proof of fraud as between the defendant and the banks and to grant an injunction on further concluding that it was seriously arguable that on the available material fraud was the only reasonable inference.

The Court of Appeal so held in a reserved judgment dismissing by a majority an appeal by Mr Raymond West and others the sellers, from an order of Mr Maurice Kay, QC, sitting as a judge of the Queen's Bench Division, on June 11, 1993, granting the injunction.

Mr Michael Ashe, QC and Mr Michael Roberts for the sellers; Kenneth Craig for Themepaid Ltd, the buyers.

LORD JUSTICE WAITE said that the appeal arose from a dispute between the buyers and sellers of a business. Prior to the payment of the second and third instalments, the latter secured by a

performance guarantee obtained from a third party, the buyers brought an action for alleged fraudulent misrepresentation.

The buyers alleged that by the time of the execution of the agreement the sellers had become aware that an assumption on which the purchase price was based, that demand from a major customer would continue, although not necessarily at the same level, was no longer true and had failed to disclose it.

The judge had commented that previous authorities all related to instances where the guarantor was joined as a party to the injunction application, and the relief sought was a restraint upon payment by the guarantor to the beneficiary.

Here the relief had been sought at an earlier stage, against the guarantor alone. It was common ground that there was no authority deciding whether an application of that sort was one which the court had power to grant, and if so, what principles should be applied to it.

After reviewing the evidence and argument his Lordship said that

the judge had been entitled to reach his conclusion that the buyers had satisfied the onus of showing, for the purpose of interlocutory relief, that they had an arguable case at trial that fraud was the only realistic inference.

He could not discern any error of principle or misapprehension of the evidence on the judge's part which would warrant interference by the court.

LORD JUSTICE EVANS, dissenting, said that the injunction was contrary to legal principle and the appeal should be allowed.

In summary the two essential reasons were: 1 that the contract remained binding, even if the plaintiffs' allegation that they were induced to enter into it by fraudulent misrepresentation was sufficiently proved, and 2 there was no finding or evidence that the fraud exception defence would be available to the banks if payment was demanded under the guarantees.

Notwithstanding the alleged fraud "in relation to" the share sale

agreement, once the contract was affirmed or could no longer be avoided, the defendants were entitled to claim payment in accordance with its terms.

The case cited out for *Mareva* (asset freezing) relief. That could extend, if necessary, to requiring payment into court of whatever sums were due from the banks: see *United Network Co-operative v Johnsonstone* (unreported) (CA) December 6, 1994.

The plaintiffs had suggested that the defendants might have other creditors and might be or become insolvent.

That did not give them a valid reason for withholding a payment which was otherwise due, and it was no part of the *Mareva* jurisdiction to give priority over other creditors: see *The Angel Bell* (1981) QB 65. The injunction granted was an unwarranted extension of the *Mareva* jurisdiction.

Lord Justice Balcombe delivered a judgment concurring with Lord Justice Waite.

Solicitors: Vizards; Wollastons, Chelmsford.

### Justices can specify start of special hours

**Chief Constable of West Midlands Police v Marsden**  
Before Mr Justice Owen

[Judgment April 7]

Licensing justices had power under section 81A of the Licensing Act 1964, as substituted by section 54 of the Licensing Act 1988, to specify a limitation as to the commencement hour of a special hours certificate.

Mr Justice Owen so stated in the Queen's Bench Division when allowing an appeal by the Chief Constable of West Midlands Police by way of case stated of a decision of Coventry Licensing Justices on July 13, 1994 not to specify the commencement time sought by the police for an existing special hours certificate held by Mr Aubrey Marsden in respect of a night club in Coventry.

Mr Marsden had no objection to the police application. The justices

held that the commencement time was fixed by statute as the end of normal permitted hours on the particular day.

Mr James Quirk for the chief constable.

MR JUSTICE OWEN said that the question was whether a special hours certificate merely added something, namely three hours, on to the general licensing hours provided for in section 60 of the Act, so that the premises in Coventry could be used until 2am instead of until 11pm; or because it was a special hours certificate, whether that certificate replaced permission granted under section 60, so that for the day on which it operated it governed all the opening hours that day, that is, whether it applied from 10am to 2am, ensuring that the chief constable would have extra control over how the premises operated and more

control over licensing policy, if granted by the justices. The period that was to be permitted hours for the purpose of the certificate were set out in section 76, as amended in 1988. The pre-existing wording did not contemplate the addition of an extra three hours to the general licensing hours.

The new words "permitted hours... shall extend until" could not be read as the justices took them, that is, starting from 11pm and ending at 2am. It was impossible to say that the amendment was intended to take away the scheme of the Act prior to 1988. Once it was clear that the certificate governed all opening hours, justices should be entitled to specify a commencement time, if that was what was required.

Solicitor: Mr John Kilbey, Birmingham.

### Proving plaintiff is nominal for costs order

**Ennis v Thakkar**

Before a person could be branded a "nominal plaintiff" and ordered to give security for costs under Order 23, rule 1 of the Rules of the Supreme Court, there had to be some element of deliberate duplicity or window dressing operating to the detriment of the defendant.

The Court of Appeal (Lord Justice Nourse, Lord Justice Kennedy and Lord Justice Evans) so held on April 7 when dismissing an appeal by the defendant, Mr Primot Thakkar, from Mr Patrick Bennett, QC, who, sitting as a

deputy judge of the High Court, refused the application by Master Turner of an application that the plaintiff, Mr Brian Ennis, give security for the costs of the action to the defendant.

LORD JUSTICE KENNEDY said that by Order 23, rule 1(1) a plaintiff could be made to give security for costs if, in the plaintiff (not being a plaintiff who is suing in a representative capacity) is a nominal plaintiff who is suing for the benefit of some other person...

No doubt when the defendant

began his action he was in financial difficulties but if he succeeded he would be able to discharge his liabilities. His creditors would benefit but so would he.

Some element of deliberate duplicity had to be shown: someone with a real cause of action who in order to cheat the defendant deliberately divested himself of all right to retain any benefit from the action. That was not the case here. The plaintiff could not be regarded simply as a nominal plaintiff suing for the benefit of some other person.



# Streamlined Gough goes from strength to strength

Raymond Illingworth was fond of saying, last summer, that when Yorkshire are strong, England are strong too. When Yorkshire finished thirteenth in the county championship and England lost in Australia, the theory was working in a way he had not anticipated, but there was more than home-town myopia in the Illingworth phrase.

Yorkshire are not strong, not yet, anyway. They have been camped in the bottom half of the championship for all but one of the past 15 years, a gruesome record unmatched by any other club. Yet the mood at Headingley this spring is infectious, upbeat, the potential on the field undeniably high. After decades of strife and toil, Yorkshire not only need to win something, they are confident that they will.

In the past week, they have

overwhelmed Lancashire over both four days and one. True, they were mere "friendly" matches, but a thing exists cross-Pennines, but the disparity in approach and conviction was sufficiently stark to persuade Michael Atherton, the England captain, among others, that Yorkshire are on the brink of something big.

The four-day game was hastened to its conclusion, yesterday, by Darren Gough. Back in comic-book hero mode, Gough took seven for 28, the best first-class figures of his career, in between juggling with the ball and grinning hugely at every one near him. He wore a black corset, protruding above his flannels, but the foot that he cruelly injured in Australia is strong and the Gough frame is streamlined.

Gough embodies the new spirit at Headingley. It might be thought



Alan Lee, cricket correspondent, finds a new confidence at Headingley epitomised by the Yorkshire and England fast bowler

that he dangerously dominates it, but the anticipation depends overmuch on him and that the club is welling other shortcomings by glorifying in his suddenly inflated profile. Maybe this is unfair.

Gough, by all accounts, is coping admirably with celebrity status and he does not, anyway, have a monopoly on talent at a club that boasts a crop of England age-group players and probably the strongest second XI in the country.

Chris Hassell, the Yorkshire chief executive, said: "I agree Darren is being built into a great white hope. I can see the dangers. I could bury

my head and pretend he is not here, but I wouldn't be doing my job. He has filled a gap that has existed since Gower and Botham retired, brought back a sense of enjoyment and given the kids a role model."

He has also given impetus to Yorkshire's marketing. Gough's cherubic face, featured on a fanzine, has been sold to 800,000 households in the county, has brought in 1,500 new members and helped enormously in ticket sales for the Test match against West Indies next month. Gough has appointed Clifford Bloxham, an American, as his

agent, but the mail and messages that flood into Headingley for him are sufficient to occupy one of the office girls full-time.

Gough was among the first intake of cricketers pupils at Yorkshire's academy in Bradford. The new coach is Arnie Sidebottom, formerly of Yorkshire and England but, importantly, once a football apprentice with Manchester United. It is felt that he understands the character-building necessary.

The academy boys have to clean the dressing-rooms and sweep the terraces at Bradford. They have also acted as stewards at York races. Yorkshire, though, does more than simply subject them to mentality. Hassell explained: "We have arranged for a bank manager to talk to them, and an insurance expert. We have brought in a drugs officer and a policeman. They are taught to

be good people as well as good cricketers."

Diet is also strictly controlled, something which goes through the club, but no more so than appearance. It is written in the club rule book that players must be clean-shaven and they are also expected to dress smartly at all times. "The captain tells them the uniform for the day," Hassell said. "They look like a team or they get fined. One lad came in wearing an ear-ring recently and was given a good kick up the backside. We have traditions to uphold."

Yorkshire are high on tradition. Once, the tradition was of unquestioned success. More recently, it was of internal bickering and on-field failure. This year, more than at any time since the 1960s, there is genuine belief in a return of the good times.

## IN BRIEF

### Douglas to step in for injured Prean

DESMOND DOUGLAS, two months short of his fortieth birthday, returns after a five-year absence to play for England against Belgium in the world table tennis championships in China today (Richard Easton writes).

Douglas, the national champion 11 times, had been hoping to make only occasional appearances in Tianjin, but a training injury to Carl Prean means that he may have to play in most or all of England's matches.

Prean has said that he needs five days off because of tendinitis in a knee, but Denis Neale, the team captain, is reported to be considering sending the national champion home before the individual events next week if he does not take part in the team championship.

Chen Xinhua, the England No.1, was mobbed on his return to China on Saturday. At 35, has been talking of retiring and remaining in his country of origin when the championships end.

### Hunt returns

Golf: Bernard Hunt, the former Ryder Cup captain, has been elected captain of the Professional Golfers' Association (PGA). A member of the PGA for 47 years, Hunt, 65, served as captain once in 1966 and succeeds Ross Whitehead for a two-year term.

John Barnett, the club professional at Royal St David's, Harlech, is the captain-elect, while Derek Nash and John Stirling have been given honorary life memberships.

### Record attack

Cycling: Yvonne McGregor, the gold-medal winner, for England, on the track at the Commonwealth Games last year and British road triathlete champion, plans to attack the world one hour record of 47.12 kilometres that was set by Catherine Mearns, of France, at Bordeaux on Saturday.

The attempt is pencilled in for mid-June in Bordeaux or Manchester. The Bradford rider has recently returned to racing after two road accidents which interrupted her winter training programme for three months.

# Blewett's rapid onslaught drives home advantage

FROM SIMON WILDE IN KINGSTON, JAMAICA

AUSTRALIA remorselessly drove home their advantage on the third morning of the fourth and final Test match at Sabina Park here yesterday. Steve Waugh and Greg Blewett, the overnight batsmen, remained together until five minutes before lunch and extended their partnership from 17 to 113, of which Blewett, in his first important innings of the series, made an aggressive 69. By the interval, Australia had increased their lead to 150.

Steve Waugh, having spent more than four hours at the crease the previous day for 110, was content to hold up one end while his partner kept the score moving at a rate of almost four an over, punishing some loose bowling from Kenny Benjamin, in particular. Waugh added only 31 runs in the session and was 141 not out after six hours, 20 minutes of steady resistance. With each over, he is ensuring that Australia will be in an impregnable position.

West Indies' hopes of getting back into the game had depended on the use of Ambrose and Walsh made of the second new ball, which Richardson had chosen not to take the previous evening, but with almost nothing in the pitch for the fast bowlers, Blewett appeared to find the harder ball more to his liking and he was quickly into his stride. Ambrose retired into the deep after five innocuous overs and Richardson had soon reverted to posting only one slip.

Even Hooper could not stem the tide and Richardson's desperation was apparent when he turned to the left-arm slowers of Arthurton, who had never taken a Test wicket in his life, shortly before lunch. Blewett's eyes lit up a moment too soon. He pulled Arthurton's second ball straight down the throat of wide mid-on. It was only West Indies' second success in 97 overs, material enough for Richardson to review his decision to bat first.

Richardson might equally have expected Walsh and Ambrose to make better use of the first new ball, on Sunday. Ambrose was surprisingly unfocused, rarely making the batsmen play, and Richardson called on him again for only three more overs —

costing 26 runs — all day. There was at least an element of expediency in this, as the over-rate was so laggardly by tea, taken 20 minutes early because of rain, that 43 overs remained to be bowled. They were got through, largely through recourse to the off-spin of Hooper, who, as it happened, achieved the breakthrough that had been beyond his colleagues.

One of the most telling indicators of how the balance of power has shifted between these sides is that what may prove the decisive partnership of the game, the 231 runs added at a run-a-minute for Australia's fourth wicket on Sunday, was put together by two players whom the West Indians once rightly believed were unhappy with short-pitched bowling.

However, Mark and Steve Waugh have largely overcome

their technical weaknesses against the bouncer and, now that West Indies are not so well placed to put these to the test, the two of them are setting about settling a few old scores. Steve's innings in this series — in which he has, admittedly, been dropped four times — have been 65, 15, 65 not out, 63 not out, 21 and 141 not out, and he has yet to be dismissed by Ambrose or Walsh.

Although the twins share the world fifth-wicket record partnership, they have rarely batted together for long in the 33 Test matches in which they have both appeared and before this match their only other century stand was the 153 they added at Edgbaston in 1993. Nor had they scored centuries in the same Test innings before. They are the first twins ever to do so and also the first set of brothers, after Ian and Greg Chappell, who did so twice for Australia, Mustaq and Saïq Mohammod, of Pakistan, and Zimbat and Andy Flower, of Zimbabwe.

A measure of West Indies' subservience was the lack of supporters they had in the crowd yesterday. After capacity crowds over the weekend, the ground was barely a quarter full, and the reggae music had given way to triumphant Australian chanting.

Mark Waugh takes evasive action during his innings of 126 at Sabina Park



Mark Waugh takes evasive action during his innings of 126 at Sabina Park

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AUSTRALIA: First Innings

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M Slater c Lara b Walsh	27
R W Hogg b Richardson	17
M E Waugh c Adams b Hooper	126
S R Waugh not out	141
G S Blewett c W Benjamin	69
D Arthurton	4
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Total (5 wickets)	421

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AMERICAN FOOTBALL

WORLD LEAGUE OF AMERICAN FOOTBALL: London Broncos 24 Barcelona Dragons 39. Atlanta Braves 37 Boston Blitz 40. Rhein Fire 21 Frankfurt Galaxy 20.

BASEBALL

NATIONAL LEAGUE: St Louis 3 New York Yankees 2. Montreal 3 Los Angeles 2. Colorado 1 Cincinnati 0. Florida 1 San Francisco 0.

AMERICAN LEAGUE: Chicago 17 Boston 11. California 3 Toronto 3. Milwaukee 4 Oakland 3. Baltimore 1 Minnesota 3. Kansas City 9 New York Yankees 7 Texas 6. Detroit 10 Seattle 1.

BASKETBALL

SUBWAY CHAMPIONSHIP: Philadelphia 76ers 90 New York Knicks 81. Washington Wizards 90 New York Knicks 81.

NATIONAL ASSOCIATION (NBA): Playoffs: First-round (best five wins): Eastern Conference: Boston 99 Chicago 91. Western Conference: Phoenix 103 Portland 94. (Phoenix lead 2-0). San Antonio 122 Denver 96 (San Antonio lead 2-0).

BOWLS

WELLSBOROUGH: English Bowls Players Association championship: England 181 Scotland 172. (England lead 1-0).

CRICKET

Yorkshire v Lancashire

Headingley (first day of four) Yorkshire lead Lancashire by 219 runs

YORKSHIRE: First Innings 417 for 10. Yorkshire 183, R J Bailey 77 not out, C White 72, S R Waugh 69, M E Waugh 50, M Slater 50, D Arthurton 10, M Taylor 10.

LANCASHIRE: First Innings 271 (M A Atherton 126).

Second Innings

J E R Gailan c Bailey b Gough 36. M A Atherton b Gough 27. N J Speak 10 b Gough 10. D Lloyd c Stamp b Gough 10. S P Richard 10 b Gough 10.

SCOREBOARD

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G S Blewett c W Benjamin	69
D Arthurton	4
E Hooper not out	29
Total (5 wickets)	421

SCOREBOARD

WEST INDIES: First Innings 265 (R-9 Richardson 100, B C Lara 65).

AUSTRALIA: First Innings

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M Slater c Lara b Walsh	27
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**CRICKETLINE**

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COMPLETE CRICKET SCORES

CRICKET

YORKSHIRE v LANCASHIRE

Headingley (first day of four) Yorkshire lead Lancashire by 219 runs

YORKSHIRE: First Innings 417 for 10. Yorkshire 183, R J Bailey 77 not out, C White 72, S R Waugh 69, M E Waugh 50, M Slater 50, D Arthurton 10, M Taylor 10.

LANCASHIRE: First Innings 271 (M A Atherton 126).

Second Innings

J E R Gailan c Bailey b Gough 36. M A Atherton b Gough 27. N J Speak 10 b Gough 10. D Lloyd c Stamp b Gough 10. S P Richard 10 b Gough 10.

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**RESULTS FROM COMPANY GOLF DAYS**

The four top scores in the individual golf days listed below now comprise the company team eligible to qualify for a regional final.

**Meas Pierson**

RESULTS FROM COMPANY GOLF DAYS

Date	Company name	Player	Score
12 April	United Electrical	G. B. Smith	110
13 April	J. J. Smith & Son Ltd	W. J. Smith	104
14 April	Chatterton & Co	G. B. Smith	108
15 April	The P. J. Smith & Son Ltd	W. J. Smith	118
16 April	Chatterton & Co	G. B. Smith	129
17 April	The P. J. Smith & Son Ltd	W. J. Smith	140
18 April	Chatterton & Co	G. B. Smith	151
19 April	The P. J. Smith & Son Ltd	W. J. Smith	162
20 April	Chatterton & Co	G. B. Smith	173
21 April	The P. J. Smith & Son Ltd	W. J. Smith	184
22 April	Chatterton & Co	G. B. Smith	195
23 April	The P. J. Smith & Son Ltd	W. J. Smith	206
24 April	Chatterton & Co	G. B. Smith	217
25 April	The P. J. Smith & Son Ltd	W. J. Smith	228
26 April	Chatterton & Co	G. B. Smith	239
27 April	The P. J. Smith & Son Ltd	W. J. Smith	250
28 April	Chatterton & Co	G. B. Smith	261
29 April	The P. J. Smith & Son Ltd	W. J. Smith	272
30 April	Chatterton & Co	G. B. Smith	283















# Time-travellers should never be two-timers

Now, where are we? Is this day six of the BBC's great financial crisis or just seven? As I scanned last night's schedules, an old rhyme kept coming back to me. You know the one: "The first of May, the first of May, endless repeats begin today." Actually, I'm being unfair. Auntie. There weren't any repeats last night, it just felt like it. And anyway things were no better. After the dramatic heights of *Prime Suspect* on Sunday, it was reduced to showing leftover episodes of *Boon*. Can it be long, I mused, before John Birt emerges ("we're saved, we're saved") from the vaults clutching some carefully hidden episodes of *Harry*? I think it could.

But while we await the arrival of BST (Birdian Summer Time — "another chance to see a classic episode of...") it is time to bid farewell to one of the deservedly popular successes of our all too

brief spring. *Goodnight Sweetheart* (BBC1). There was only one problem. The last episode, last night, was dire.

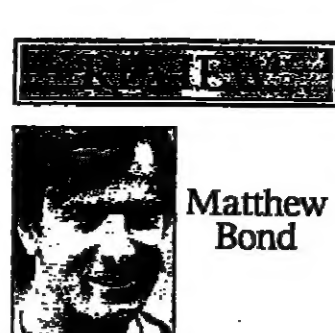
All the good work of Laurence Marks and Maurice Gran's scripts — the wit, the charm, the cleverness — disappeared in a puff of weak slapstick and crude innuendo. It was as if Nicholas Lyndhurst had popped down Duckett's Passage and found himself back in *Only Fools and Horses* rather than 1941. And not a very funny episode at that.

Puzzled and distressed, I scanned the credits. Had the great prize, as they are occasionally prone, delegated the writing to a minion? They had not. Curiouser and curiouser.

The clue to the problem, I believe, was the anguished look with which Gary (Lyndhurst) closed the episode, as he wrestled yet again with the choice between Phoebe (Dervla Kirwan) and

Yvonne (Michelle Holmes). This was all very charming when all he was enjoying was a spot of time travel and an innocent flirtation with Phoebe, but since they embarked on the game of hide the doodlebug, things have got a good deal more complicated — and a good deal less funny. Lightness of touch and innuendo, albeit the time-warped variety, do not sit easily together, even in the best of scripts.

Crucially, the final episode saw only a brief appearance from Ron (Victor McGuire) whose touching faith in his philanthropic friend's ability to move from 1941 to 1995 is not only very funny but very important. If Ron can suspend disbelief, so can we. If the story or characters, so might we. Marks and Gran must bring the good look back before bringing the show back for another series. But I hope they do. After all, we



Matthew Bond

may have only six days to go until VE-Day. They've got four years. It surely won't be long before time travel features in *The Outer Limits* (BBC2), which returns regenerated and refreshed, after 30 years, to boldly go where all sci-fi clichés have gone before. "Do not attempt to adjust the picture," warns the familiar menacing voice: "for the next hour we will control all that you see and hear."

Not on public sector broadcasting, you won't. Without any advertisement breaks, the BBC manages to get the whole thing over in 45 minutes, for which we should all be grateful.

Just as with ghost stories, television science fiction thrives on its clichés and *Blood Brothers* did not stray from the well-trodden path. Two brothers — one good, one bad: one handsome, one not; one with Huntington's chorea, one without; one engaged in genetic research, one hoping to profit from it.

It was, it must be said, a little difficult to keep tabs on precisely what the boffin brother was researching. It started off, I think, as a cure for civil unrest, with the unfortunate side-effect of killing 80 per cent of the animals it came into contact with. Bad enough news for rebellious humans, definitely a bummer for laboratory monkeys. But one small modification later and it was curing cancer like there

was no tomorrow. "It's a broad spectrum, wonder drug," cried the triumphant brother, clearly a man who wouldn't recognise a side-effect if it bit him in the neck. "Nobody in the world will ever be sick again."

Of course, the mad, bad and sick brother (played by a suitably deranged looking Martin Kemp) got his hands on the drug and, of course, the side-effect was getting old terribly fast. From nought to a wrinkled, shrivelled husk in under a minute, I made it. If this was the outer limits, I'd hate to see the short cut.

Drugs also featured large in *Minders* (BBC2), but these were definitely not of the wonder variety. Instead, they were the cocktail of drugs by which psychiatrists at the Springfield Hospital, in London, treated the manic depression for bipolar affective disorder, as it is called these

days) of Valerie Smartt. They turned her from a sharp, funny ("I haven't got acute psychosis, I've got a cute face"), intelligent woman, into a dribbling, slurring zombie. If it was brave of Smartt, who clearly enjoyed talking to the camera more than she did to psychiatrists, to agree to the programme's transmission, it was just as brave of the psychiatrists, who must know that such treatments cry out for knee-jerk censure.

At 38, Smartt lived alone in a south London flat. Her favourite record began with the line "She lives a lonely life...". Her problem was playing it continuously for three days at full volume.

One last thing: aren't psychiatrists getting young these days? The junior doctor treating Smartt looked about 15. The only thing that confirmed his status as a full-time employee of the National Health Service was the huge, black bags under his eyes.

## BBC1

- 6.00 Business Breakfast (15480)
- 7.00 BBC Breakfast News (10263888)
- 9.05 Kilroy (s) (1521395)
- 10.00 News (Ceefax), regional news and weather (7435802) 10.05 EastEnders — The Early Days (r) (Ceefax) (1687734) 10.35 Good Morning with Anne and Nick (s) (4381398)
- 12.00 News (Ceefax) and weather (912666) 12.05 Pebble Mill (s) (5233433) 12.50 Regional news and weather (1567718)
- 1.00 News (Ceefax) and weather (88802)
- 1.30 Neighbours (Ceefax) (s) (2775764) 1.50 Going for Gold with the affable Henry Kelly (s) (2315764)
- 2.15 Columbo: Forgotten Lady. The shabby sleuth investigates an ageing actress who turns to murder when her plans to make a comeback are thwarted. Starring Fark Falk and Janet Leigh (r). (Ceefax) (806280)
- 3.50 Monty (s) (3328840) 3.55 Fievel's American Tails (r) (s) (1449882) 4.20 Wait on Earth (r) (s) (7154442) 4.35 Maid Marian and Her Merry Men (r). (Ceefax) (s) (1294647)
- 5.00 Newsround (7667208) 5.05 The Pampadure. A profile of ten-year-old Samir Pampadure, a bright, intelligent young man with cerebral palsy (r). (Ceefax) (s) (1935958)
- 5.35 Neighbours (r). (Ceefax) (s) (815024)
- 6.00 Six O'Clock News (Ceefax) and weather (11)
- 6.30 Regional news magazines (63)
- 7.00 Do the Right Thing. Terry Wogan is joined by former judge James Pickles, Janet Street-Porter and Steve Wright (s) (3444)
- 7.30 EastEnders (Ceefax) (s) (47)
- 8.00 A Question of Sport. For the last in the series David Coleman, Bill Beaumont and Ian Botham are joined by Mike Gatting, Kate Stables, Mark Hughes and Nick Skelton. (Ceefax) (s) (2192)
- 8.30 Hi-De-Hi! Classic holiday camp comedy series (r). (Ceefax) (1227)
- 9.00 Nine O'Clock News (Ceefax), regional news and weather (2937)
- 9.30 Party Election Broadcast by the Conservative Party. (Ceefax) (s) (493173)
- 9.35 **NEW** News at 9.50. The news of 50 years ago delivered in today's style by Sue Lawley and BBC reporters. (Ceefax) (165579)
- 10.00 What Did You Do in the War, Auntie? (19821) 11.30 Omnibus (1982173) 12.00pm Welsh Cup semi-final (1982173) 12.50-2.25 Film: Shaq (2486116)
- 1.00 **NEW** What Did You Do in the War, Auntie? (Ceefax) (400395)



Musical Dave Stewart releases (10.50pm)

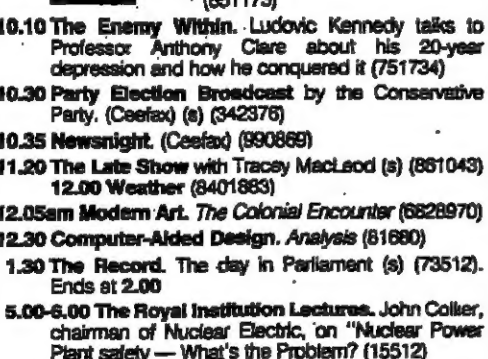
- 10.50 **NEW** Omnibus: Dave Stewart — Greetings from the Gutter. (Ceefax) (s) (901840)
- 11.00 FILM: Shaq (1989) starring Phoebe Cates, Scott Coffey and Richard Fonda. A beach party movie in which three friends try to persuade a fourth not to marry his girl friend. Directed by Zeldi Barron. (Ceefax) (89314) 1.15am Weather (485874)

## VARIATIONS

- ANGLIA**  
As London except: 12.55 Emmerdale (743227) 1.25-1.55 Home and Away (1544443) 2.55-3.25 Shortland Street (203688) 3.55-4.00 Shortland Street (203688) 4.25-4.50 Anglia News (99722) 4.55-5.00 Anglia News (99722) 5.05-5.10 The Little Picture Show (76245) 5.15-5.30 The Big Picture Show (76245) 5.35-5.50 The Big Picture Show (76245)
- CENTRAL**  
As London except: 2.55-3.25 Bookbusters (203688) 3.25-3.50 Shortland Street (203688) 3.55-4.00 Shortland Street (203688) 4.25-4.50 Anglia News (99722) 4.55-5.00 Anglia News (99722) 5.05-5.10 The Little Picture Show (76245) 5.15-5.30 The Big Picture Show (76245) 5.35-5.50 The Big Picture Show (76245)
- GRANDAD**  
As London except: 12.55-1.25 Shortland Street (743227) 1.25-1.55 Home and Away (1544443) 2.55-3.25 Shortland Street (203688) 3.55-4.00 Shortland Street (203688) 4.25-4.50 Anglia News (99722) 4.55-5.00 Anglia News (99722) 5.05-5.10 The Little Picture Show (76245) 5.15-5.30 The Big Picture Show (76245) 5.35-5.50 The Big Picture Show (76245)
- HTV WEST**  
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- ITV WALES**  
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- MERIDIAN**  
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## BBC2

- 6.20 Open University Learning and Doing Maths (7481588) 6.45 Learning to Live (770227) 7.10 Education (4753531) 7.35 Data Modelling — The Wood from the Trees (1158227)
- 8.00 Breakfast News (Ceefax) and weather (7519734) 8.15 Westminster On-Line with Sir Bernard Ingham (s) (7633096)
- 9.00 Daytime on Two. Educational programmes. Plus, for children 10.00-10.25 Playdays (1588840) 2.00 Philbert the Frog (1258242) 2.05 Hairy Jeremy (12581753)
- 2.10 San Marino Grand Prix (r) (3758976)
- 2.50 Miniature Worlds. A young hedgehog on a nocturnal safari in a suburban garden (r) (2084753)
- 3.00 News (Ceefax) and weather followed by Westminster with Nick Ross (s) (243479) 3.55 News (Ceefax) and weather (935753)
- 4.00 Today's Day. Recent history quiz (s) (76)
- 4.30 Ready, Steady, Cook. Innovative recipes (80)
- 5.00 Racing from Ascot. For the first time, the BBC are covering an evening jump meeting. Julian Wilson introduces live coverage of the 5.30, 6.00 and 6.30 races (s) (3811395)
- 6.45 Heartbreak High (Ceefax) (s) (30488)
- 7.30 East: The Black Panthers. A profile of the Makranis, descendants of black African slaves, who live in Karachi. (Ceefax) (s) (88)



British textile designer Jo Barr (8.00pm)

- 8.00 **NEW** Taking Liberties: The Artists' Story. John Ware investigates the stealing of artists' work. (Ceefax) (s) (4014)
- 8.30 Monte Carlo Rally 85. Highlights (s) (8688)
- 9.00 Flat of Fun. Comedy lifestyle series. (Ceefax) (s) (7109)
- 9.30 **NEW** Meat: Recipe for Survival? (s) (51173)
- 10.10 The Enemy Within. Ludovic Kennedy talks to Professor Anthony Clare about his 20-year depression and how he conquered it (751734)
- 10.30 Party Election Broadcast by the Conservative Party. (Ceefax) (s) (493173)
- 10.35 Newsnight (Ceefax) (90888)
- 11.30 The Late Show with Tracy MacLeod (s) (861043)
- 12.00 Weather (840188)
- 12.05am Modern Art. The Colonial Encounter (8828970)
- 12.30 Computer-Aided Design. Analysis (81880)
- 1.30 The Record. The day in Parliament (s) (73512). Ends at 2.00
- 5.00-6.00 The Royal Institution Lectures. John Collier, chairman of Nuclear Electric, on "Nuclear Power Plant safety — What's the Problem?" (15512)

## VideoPlus+ and the Video PlusCode

The numbers next to each TV programme listing are Video PlusCodes. These numbers allow you to programme your video recorder to receive the programme you want to watch. For more details on VideoPlus+ and the Video PlusCode, see the Video PlusCode guide on page 10. For more details on VideoPlus+ and the Video PlusCode, see the Video PlusCode guide on page 10.

## WESTCOUNTRY

- As London except: 9.55-10.00 Westcountry News (188289) 10.00-10.10 Westcountry News (188289) 10.10-10.20 Westcountry News (188289) 10.20-10.30 Westcountry News (188289) 10.30-10.40 Westcountry News (188289) 10.40-10.50 Westcountry News (188289) 10.50-11.00 Westcountry News (188289) 11.00-11.10 Westcountry News (188289) 11.10-11.20 Westcountry News (188289) 11.20-11.30 Westcountry News (188289) 11.30-11.40 Westcountry News (188289) 11.40-11.50 Westcountry News (188289) 11.50-12.00 Westcountry News (188289) 12.00-12.10 Westcountry News (188289) 12.10-12.20 Westcountry News (188289) 12.20-12.30 Westcountry News (188289) 12.30-12.40 Westcountry News (188289) 12.40-12.50 Westcountry News (188289) 12.50-1.00 Westcountry News (188289) 1.00-1.10 Westcountry News (188289) 1.10-1.20 Westcountry News (188289) 1.20-1.30 Westcountry News (188289) 1.30-1.40 Westcountry News (188289) 1.40-1.50 Westcountry News (188289) 1.50-2.00 Westcountry News (188289) 2.00-2.10 Westcountry News (188289) 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CAN CELTIC SWING  
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# SPORT

TUESDAY MAY 2 1995

MOTOR RACING 46

WILLIAMS REAPING  
THE REWARDS OF  
A WAITING GAME

## Widnes tackles RFL over Super League exclusion

BY CHRISTOPHER IRVINE

IT WAS a decision made with the wisdom of Solomon and the patience of Job. Widnes and Keighley would disagree with that, and with another assertion yesterday by Jack Robinson, the Wigan chairman, that rugby league can end its agonising and go forward with a streamlined Super League.

Widnes is prepared to take its case to the courts. It is the main victim of the Super League hockey-cocky. First in, then out, in the latest shake-it-all-about. Keighley, too, still has an argument for inclusion as the second division's champion club, but not quite as convincing.

In arriving at a 12-team European

Super League, with two English leagues, of 11 and ten teams, below it, the Rugby Football League (RFL) has turned full circle from the original idea of an elite league of a dozen sides and feeder set-up which sprang from a meeting of club representatives about summer rugby on April 5, when the bidding began at £30 million.

Much of the feud of the past four weeks might have been spared, but rugby league's sale after a century has realised a final price of £87 million. All parts of the estate, even family heirlooms such as Featherstone Rovers, Wakefield Trinity and Hull, which the game would have consigned to ill-conceived conglomerates, are being kept in their entirety.

Although far from Utopia, the game has reached the sunlit upper pastures from fiscal nirvana in a remarkably short time. Two U-turns and an about-turn on one of these — the decision on Sunday to go small on the size of Super League rather than big — have brought a workable compromise, for all the shambolic navigation in arriving there.

Casualties are fewer, but Widnes is threatening the RFL with a writ if not reinstated to Super League by noon today. Jim Mills, the club chairman, said: "We're the only ones to be thrown out. We were out initially, told to merge with Warrington, put in on our own merit and have been chucked out again. It's a farce."

**THE LEAGUES**  
SUPER LEAGUE: Bradford Northern, Castleford, Halifax, Leeds, London, Oldham, Paris, St Helens, Sheffield, Warrington, Wigan, Workington Town.  
FIRST DIVISION: Batley, Dewsbury, Featherstone Rovers, Huddersfield, Hull, Keighley Cougars, Rochdale Hornets, Salford, Wakefield Trinity, Whitby, Widnes.  
SECOND DIVISION: Barrow, Bramley, Carlisle, Chorley, Highfield, Hull KR, Hunslet, Leigh, Ryedale-York, Swinton.

Widnes has spent £350,000 on new contracts for players, including John Deverux, the Wales back, on the strength of a Super League place. Keighley is pressing ahead with a claim for damages over its exclusion at the High Court in Leeds tomorrow, and is

also angry that it and other second division clubs are to receive proportionately less money in the new first division than Widnes and three of the other existing first division teams which drop down.

The mess, however, is considerably less than it was before the majority vote at Huddersfield by club chairmen. Twelve teams will ensure that the most positive aspects of a Super League — putting quality before quantity of games and lessening the demands on players — are in place for the launch next March.

For all that, it is a case of back to the future — the three-division system was discarded in 1993 after two seasons — the teetering club structure now has a huge financial

buttress supporting strong and weak alike. After the future over mergers and the possibility of a breakaway by leading clubs about an extended Super League, the new proposal was the right course of least resistance.

The moral high tone taken over rugby league's deal with The News Corporation, the parent company of The Times, ignored the sport's dilemma. Without two brass farthings to rub together, it was going nowhere and is now heading somewhere. The most regrettable aspect was the players' cattle market and resentment at the get-rich-quick bidding war between the Australian Rugby League and Super League.

There is a ceasefire on that

battleground, as the two factions in Australia edge towards the peace that must, inevitably, break out. If the lessons are absorbed by the British game, then the public relations of the past four weeks might not seem such a disaster.

A truncated season will run from August to January, with Paris joining Super League for the 1996 season beginning on March 29. Super League clubs will share £10.8 million per season, first division clubs £5 million and second division clubs £1.5 million. Newcastle United Football Club has confirmed its interest in forming a rugby league side, although a place in the new first division rather than in the Super League is the more likely outcome.

## Senior clubs to fight restriction on 'foreigners'

BY DAVID HANDS, RUGBY CORRESPONDENT

THE Rugby Football Union (RFU) faces a backlash from its senior clubs after introducing legislation to restrict the number of "foreign" players involved in its domestic competitions. The new legislation comes into force on Sunday, but the Senior Clubs Association (SCA), which meets on May 14, is certain to oppose what it sees as artificial and unhealthy restrictions.

The RFU accepted last week the view of its competitions sub-committee, supported by the coaching committee, that no more than two players qualified for countries other than England should play in the Courage Clubs Championship and the national knock-out competitions next season. In 1996-97, the number will be reduced to one, which would, in fact, be the same as Ireland permit.

The move has been made at the request of the England management, which is concerned at the growing number of players appearing in first- and second-division rugby who have opted to play for the other home unions. The ban, however, will not be retrospective, so that clubs with non-

England internationals already on their books, or firmly registered for next season, will not be affected.

In their long-term recruitment, however, English clubs will be forced to look to their own resources unless the SCA forces a change of heart. They are already disappointed at the lack of consultation with the union and the first-division clubs will discuss what action they can take at Moseley on May 14, before the

### Bath spring cup surprise

BATH have dropped John Mallett and Graham Dawe, England World Cup squad members, for the Pilkington Cup final against Wasps at Twickenham on Saturday (David Hands writes). They prefer Kevin Yates and Gareth Adams.

John Hall, the captain, who has a damaged shoulder, is chosen even though he was unable to train last night.

BATH: J. Callard, A. Smith, P. de Glanville, J. Russell, A. Adeniji, M. Cole, I. Sanders, Yates, G. Adams, V. Urocy, J. Hall, M. Hoag, N. Redman, A. Robinson, B. Corrie.

association's annual meeting. "We are quite appalled by the decision," Frank Gibbon, the chairman of the SCA, said yesterday. "I can't understand why the RFU have not been prepared to talk further about this and they appear to be working from figures which have been taken to extremes. What the association will decide I don't know, but it would be open to us, for example, to withhold the use of our grounds — if they want to treat us like children, we may behave like children."

The exceptions to the legislation are London's three exiles clubs, who may benefit from the ban, but Kieran McCarthy, the secretary of London Irish, admitted that his club believes the ban to be discriminatory. "We would have to disagree in principle, though it would help us if established players coming to the UK were barred from going to clubs whose quota was full and came to us instead," he said. "It's another kick in the backside for the old amateur ethos, too, which is about free will. I have to admit that players over here spread the gospel about first-division rugby, which is higher than the standard of first-division rugby in Ireland."

However, the RFU is confident, having taken legal advice, that the new rules will withstand a challenge in the courts, both as regards race relations and civil liberties.

It will apply to players appearing at either senior or A level in Scotland, Ireland or Wales, and English administrators believe that they have the support of their opposite numbers in the other home unions, who dread the thought of losing their better players — role models for the next generation — to England and the effect that would have on their own league structure.

"We had to face the danger that we could get a major part of the Scottish or Irish squad playing in England, which would be very unsatisfactory," Dudley Wood, the secretary of the RFU, said. "We are not stopping them playing here, because they have the exiles clubs, or they can play non-competitive rugby."



Darren Gough, the England fast bowler, on the way to confirming his fitness by taking seven for 28 for Yorkshire against Lancashire at Headingley yesterday

## FA to examine Sherwood's elbow

BY PETER BALL

TIM SHERWOOD, the captain of Blackburn Rovers, the FA Carling Premiership leaders, may face a disreputable charge for the incident that left Don Hutchison, of West Ham United, with a broken nose in their bad-tempered 2-0 defeat at Upton Park on Sunday.

Although Kelvin Morton, the referee, took no action, television showed Sherwood elbowing Hutchison. The Football Association reacted quickly and examined a tape of the incident yesterday.

There is some concern about the game, which is why we watched the tape, and we are mainly interested in the Sherwood incident," Mike Parry, the FA press officer, said yesterday. Morton's failure to take action suggests that he did not get a clear view of the incident and leaves it within the FA's province.

A suggestion that David Barry, another Blackburn player, would also be investigated for a tackle in the game,

which left stud marks high on Ian Bishop's thigh and earned Barry a booking, was dismissed by the FA.

However, Parry added: "There is no way that we would want to do anything to contradict a referee's decision, but we are concerned about the spirit in which a game is played and we will monitor those two incidents for what they reveal about the way one



Sherwood: elbow

team [Blackburn Rovers] approached that game."

If Sherwood is charged, as seems inevitable, and found guilty, he could face heavy punishment. Paul Davis, of Arsenal, was fined £3,000 and suspended for nine games in 1988 for breaking Glenn Cockerill's jaw, albeit with a punch, in a match with Southampton.

The FA has had some difficulty with flying elbows since the unfortunate court-room comment that "you can see such things 200 times a week," by Graham Kelly, the FA's chief executive, on the elbowing incident involving Gary Blissett, the Brentford forward, which ended the career of John Uzzell, the Torquay United defender, in 1992. The misuse of elbows has since become one of the game's most pressing problems and this time the FA may feel the need to act.

Sherwood has had a chequered season. He appeared for a three-match ban at the end of February for

reaching 41 disciplinary points, but an appeal persuaded Mike Reed, another referee, to reduce his booking against Norwich City from a four-point offence to two points and he escaped. Sherwood's suspension, when it was imposed at the end of March, cost him only one game.

Although Kenny Dalglish, the Blackburn manager, will be reluctant to admit it, his team have had a fairly comfortable ride from critics and referees so far this season by comparison with their closest challengers, Manchester United, but that may be changing. Indeed, recent performances suggest that their discipline is cracking as the pressure grows.

Leeds United yesterday denied reports that they are about to be sold to Richard Thompson, the chairman of Queens Park Rangers. "There is no substance to the reports," Bill Fotherby, the managing director of Leeds, said.

Overseas football, page 46

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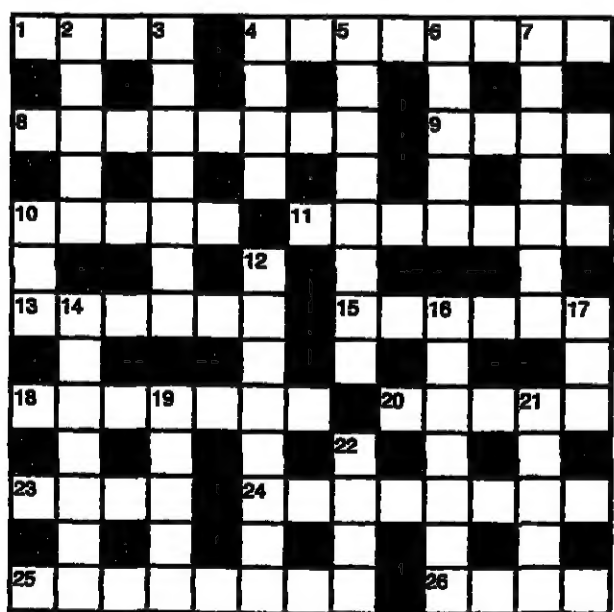
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### TIMES TWO CROSSWORD



No 460

ACROSS

- 1 Elegant (4)
- 4 Load of abuse: morsel of food (8)
- 8 Drink (a bit too much) (4,1,3)
- 9 Curtain (4)
- 10 Adolescent years (5)
- 11 Sleeping place (7)
- 13 Security duty (6)
- 15 Abscond (6)
- 18 Cambridge (Mass.) Univ. (7)
- 20 Supporting beam (5)
- 23 Look after: incline (4)
- 24 Billboard (8)
- 25 NY theater street (8)

DOWN

- 2 Throw with effort (5)
- 3 Remover of dirt (7)
- 4 Botch: hand-warmer (4)
- 5 Awkward to handle (8)
- 6 Stay still in the air (5)
- 7 Unvarying: outfit (7)
- 10 Best: a toy (3)
- 12 Four-unequal-line humorous verse (8)
- 14 Non-professional (7)
- 16 Full of people (7)
- 17 Vessel: pocket (ball) (3)
- 19 Colourless liquor (5)
- 21 Dawn (2-2)
- 22 Cautious (4)

SOLUTION TO NO 459

ACROSS: 2 Rag trade 6 Active 8 Moloch 9 Bracket 10 Psalm 12 Clean sweep 16 Galvanised 18 Anger 20 Rupture 21 Gorgon 22 Tariff 23 Schedule

DOWN: 1 Scarily 2 Reversal 3 Troupe 4 Aroma 5 Ex-hume 7 In charge 11 Sprinter 13 Evaluate 14 Tear off 15 Hagis 17 Arnold 19 Girth

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